



City of San Diego
Office of the City Clerk
202 C Street
Second Floor
San Diego, CA 92101
(619) 533-4000

Recommendations
Community Planning Group/
Staff's/Planning Commission

Project Manager **must** complete the following information for the Council docket:

CASE NUMBER: 113555

Staff's:

Please indicate the recommended action for each item (i.e. Resolution/Ordinance):

DENY the appeal and UPHOLD the Planning Commission's decision to approve the Liberatore Residence project No. 113555, Certify Negative Declaration, approve Neighborhood Use Permit (NUP), Site Development Permit (SDP), and Variance (VAR) to allow the construction of a new Guest-Quarter over a partially underground garage on a lot with an existing single family residence.

Planning Commission:

(List names of Commissioners voting yea or nay)

YEAS: Golba, Griswold, Ontai, and Naslund

NAYS: Schultz

ABSTAINING: Commissioner Otsuji recused, and Commissioner Smiley not present

Recommended Action: Approve Neighborhood Use Permit, Site Development Permit, Variance, and Certify Negative Declaration

Community Planning Group:

Choose one:

LIST NAME OF GROUP: PENINSULA

- ☐ No officially recognized community planning group for this area.
- ☐ Community Planning Group has been notified of this project and has not submitted a recommendation.
- ☐ Community Planning Group has been notified of this project and has not taken a position.
- ☐ Community Planning Group has recommended approval of this project.
- ☒ Community Planning Group has recommended denial of this project.
- ☐ This is a matter of City-wide effect. The following community group(s) have taken a position on the item:

In favor: 8 in favor of the motion to deny

Opposed: 1 in support of the project

Abstain: 3 needed additional information

By: Laila Iskandar
Project Manager

*This information is available in alternative formats for persons with disabilities.
To request this information in alternative format, call (619)446-5446 or (800)735-2929 (TDD)*

REPORT TO THE CITY COUNCIL

DATE ISSUED:

REPORT NO.:

ATTENTION: Council President and City Council

SUBJECT: Liberatore Residence - Project No. 113555, Council District 2,
Process Four Appeal

REFERENCE: Report to the Planning Commission No. PC-08-106 (Attachment 12)

REQUESTED ACTION: Should the City Council approve or deny an appeal of the Planning Commission's decision to approve a Neighborhood Use Permit, a Site Development Permit, and Variance to allow the construction of a new Guest-Quarter over a partially underground garage on a lot with an existing single family residence?

STAFF RECOMMENDATION:

1. **CERTIFY** Negative Declaration No. 113555.
2. **DENY** the appeal and **APPROVE** Neighborhood Use Permit No. 381871, Site Development Permit No. 470555, and Variance No. 470554.

SUMMARY:Planning Commission Recommendation:

At the October 9, 2008, Planning Commission Hearing, no action was taken due to a non-majority 3-2 vote on a motion to approve the project. The project was dead-locked for weeks in the Planning Commission due to an absent commissioner and one commissioner having to recuse from the vote. A re-vote was taken in order to move the project forward to a City Council decision point. The Planning Commission voted 4-1-2 on November 6, 2008, to approve the project with commissioner Naslund stating for the record that his yes vote was not in support of the project.

Appeal Issues:

On November 14, 2008, an appeal of the Planning Commission's decision was filed asserting findings not supported (Attachment 13). These issues are discussed further in this report.

Background:

The proposed project is located at 3371 Valemont Street (Attachment 1), in the RS-1-7 Zone (single family residence), within the Rosville Heights neighborhood of the Peninsula Community Plan and Local Coastal Program Land Use Plan (LCP) (Attachment 3).

The property is located at Valemont Street, between Akron Street and Bangor Street and has two legal frontages (Valemont/Ullman alley at the top of the property and partially unimproved Valemont Street below). The site is surrounded by existing single-family homes, many of which have alley access (Attachment 2).

The site is currently developed with a 1,567-square-foot one-story single dwelling unit that was constructed in 1954, which would remain. The site is designated within the Peninsula Community Plan for single-family residential land use at a density of 6-9 dwelling units per acre (Attachment 3).

Project Description:

The project is requesting a Neighborhood Use Permit (NUP), a Site Development Permit (SDP), and a Variance (VAR) in accordance with the City of San Diego Land Development Code to allow the construction of a new Guest-Quarters above a new two-car garage. The project includes a request to deviate from the applicable regulations of the Municipal Code to allow for street access when alley access is required.

The site is currently developed with a 1,567-square-foot one-story single dwelling unit that was constructed in 1954, which would remain. Access to the property is currently only from the Valemont/Ullman alley, with a one-car garage and a 15-foot long driveway located at the southern front of the single-family residence. The lot is roughly rectangular with a steep gradient from the southern portion [186 feet above mean sea level (AMSL)] of the property down to the north [145 feet AMSL]. The property does not include any sensitive topographical or biological resources.

The subject lot is unique because, although it has both street and alley frontage, in a practical sense, the lot has only one point of access for pedestrian and vehicular traffic off the improved alley. On a typical lot with improved street and alley frontage, a residential structure would typically be built toward the street, leaving room in the rear for accessory improvements such as a garage or for vehicular access. In addition, because Valemont Street was never improved, the unique condition of the lot and the topography affecting the whole block, the house was forced to be built facing the alley with a one car garage, thereby leaving the unimproved street as the only access for additional development.

The proposed project would extend the Valemont Street public right-of-way as a private driveway to access the site at the north end of the property. This driveway would provide vehicle access to the proposed garage and the north side of the property.

A Neighborhood Use Permit is required for the construction of a two-story, detached, guest-quarters and a garage; A Site Development Permit is required to allow for construction of a private driveway in the public right-of-way (encroachment) where the

applicant is not the record owner of the property where the driveway is proposed (per SDMC 126.0502(d)(7)); and a Variance is required to permit street access where the Code prohibits access from a street for properties with access to an alley and less than 150 feet of total frontage. The intent of the regulation is to reduce the rate at which cars pull in and out of driveways, thereby reducing pedestrian and vehicular interaction. The intent is also to increase on-street parking spaces. The unimproved Valemont Street does not currently provide pedestrian access or on-street parking.

Community Plan Analysis:

The project site is designated for single-family residential development in the Peninsula Community Plan at a density of 6-9 dwelling units per acre. Surrounding land uses are single-family residential. A main objective of the residential element is to, "Conserve character of existing stable single-family neighborhoods throughout Peninsula including the very low-density character of certain neighborhoods." This is particularly important because this proposal is within the Protected Single-Family Neighborhoods map in the community plan. As there is an existing single-family dwelling unit on-site, the request for an additional guest quarters would not impact the density. The proposal is also within a transitional area of the community identified as having, "large lot area-potential for lot splits."

The proposal would also implement the following objectives in the community plan, "Encourage sensitive placement of structures in steeply sloped residential areas to minimize removal of natural vegetation, grading and landform alteration" and "Preserve existing landscaping and vegetation within established residential neighborhoods", this proposal being within the Roseville neighborhood, one of the older community neighborhoods. The applicant will preserve all native trees during the excavation required for access through the canyon.

The proposal for a new two-story detached structure including guest quarters over a two-car garage on the subject site would conform to the thirty foot height limit established by Proposition D, as well as be consistent with the current mix of architectural styles in the neighborhood.

Therefore, due to the above considerations, this proposal achieves consistency with the adopted land use plan and local coastal program.

Environmental Analysis:

The Environmental Analysis Section conducted an Initial Study to determine if the proposed project would result in environmental impacts. Potential impacts to biological resources were initially identified. The project site is not located within or adjacent to the City's Multi-Habitat Planning Area (MHPA). The project site is located within an existing urbanized area. However, it appeared that the project site had potential sensitive vegetation on and adjacent to the site, therefore, a biological letter report prepared by Klein-Edwards Professional Services (dated September 12, 2007) was required. That report concluded that

the project would not result in any impacts to either sensitive flora and/or fauna, and as such, no mitigation measures were required and a Negative Declaration No. 113555 had been prepared for this project, in accordance with State CEQA Guidelines.

Project-Related Issues:

Appeal Issues:

On November 14, 2008, an appeal was filed by Ms. Anita Busquets and Mr. William Ladd asserting "Findings Not Supported" and variance findings for the proposed project cannot be made (Attachment 13). These issues are addressed below in the approximate order they appear within the appeal and include staff's response:

Appeal Issue No. 1: The appeal states that Mr. Liberatore's lot does not have special circumstances or conditions peculiar to his lot that do not apply to the lots in the neighborhood.

Staff Response: Staff believes that there are unique and special circumstances associated with the project site that are not the result of the actions of the owner. The lot is roughly rectangular with a steep gradient resulting in a grade differential of 41 feet. The location of the existing one-story dwelling (fronting the alley rather than the street) is on the uphill flat portion of the site. This layout prohibits extending the existing driveway to the proposed guest quarters on the downhill portion of the site fronting Valemont Street.

The existing dwelling was constructed in the early 1950's, with only a one-car garage. Of the eleven homes that are along Valemont/Ullman Alley, the applicant's home is the only one that does not have either a two-car garage or off-street parking that would legally accommodate two vehicles. As such, the applicant's home is unique in that there is only one-car garage.

Of the eleven other homes and residences on the Valemont/Ullman Alley, all of them have wider and in some cases longer driveways compared to the applicant's driveway. The subject property driveway is only 15 feet long, and the width of the driveway is only 12 feet. The applicant is bound to leave his portion of the vacated open alley free of obstructions to allow ingress/egress for the other property owners in the alley. This short narrow driveway provides limited vehicular access to the attached one-car garage.

Of the 36 homes within a 300-foot radius, only 2 (one of which is the applicants) have a very constrained and small flat pad area within which to develop. This limited pad area combined with the restricted usability is different from the vast majority of the homes within the neighborhood.

Appeal Issue No. 2: The appeal states that denying the variance will not deny Mr. Liberatore reasonable use of his property. The existing home is reasonable use; there is no requirement that he be allowed a guest house.

Staff Response: Staff believes that the requested variance to allow for a driveway opening from the unimproved dedicated street represents reasonable use of the property. Staff reviewed the proposed project in accordance with the applicable regulations of the Land Development Code and determined that the variance findings necessary to approve the project can be affirmed by the decision maker. The subject property is underdeveloped, the existing floor area ratio is only 0.27 (1,567 sq. ft.) where 0.59 (3,443 sq. ft.) is allowed for the zone. The small percentage of the existing site usage is due to the steep nature of the site gradient. The purpose of constructing the guest quarters is to utilize the project site without the need for demolishing the existing home and to allow for an additional living space and parking.

The project meets the requirements of the Municipal Code and recommendations of the community plan with respect to density, building height and setbacks. Therefore, staff believes the project, including the request for a variance to allow a street access, is supported by the draft findings.

Appeal Issue No. 3: The appeal states that the construction of the driveway and retaining walls in a narrow finger canyon, for which the variance would be required, will be detrimental to the stability of adjacent properties (public health, safety and welfare).

Staff Response: The appellant refers to the subject site as being within a narrow finger canyon. The Conservation and Environmental Element of the Peninsula Community Plan contains policies that "significant canyons and hillsides should not be developed". However, this site is not in an area identified in the Peninsula Community Plan as having significant canyons and hillsides, as illustrated in Fig 26 (Attachment 15). The community plan also acknowledges that, "Many of the steeper slopes which existed previously in residential areas have been modified and reduced by development. The steeper slopes in residential areas contain some open space which is an important amenity which add character to the largely developed community." This characterization does not apply to the Liberatore property which has been modified by development and is not within an area identified as containing open space in the community plan. All the parcels in residentially designated areas in the community have been developed.

Although the site is within an area that does contain steep slopes, it is identified in the community plan as an area to be added to the Hillside Review Overlay Zone Boundary in order to preserve the natural features of such hillsides. However, the Hillside Review Overlay Zone identified in the community plan has since been replaced by the Environmentally Sensitive Lands regulations. The subject property is not mapped as being within Environmentally Sensitive Lands (Attachment 15). Also, based on a topographical analysis and a submitted biological letter report, staff has determined that the site does not meet the definition of steep hillsides or contain sensitive biological resources. Staff also determined that the project site is not considered/designated "a narrow finger canyon" in the community plan.

The project site and the surrounding neighborhood are located in Geologic Hazard Category 53 (Level or Sloping Terrain, Unfavorable Geologic Structure, Low to Moderate Risk). No particular building restrictions have been identified for the neighborhood as a

result of this hazard category. The construction of the driveway and retaining walls for the Liberatore project will require public right-of-way permits and building permits involving a review process. The proposed design of the retaining walls and driveway must comply with the applicable sections of the City of San Diego Municipal Code and the Building Code. Plans and calculations are required as a part of the permit review processes. The permit review processes will ensure that the proposed improvements are designed in accordance with applicable building code and regulations, which address the stability of proposed structures and avoid adverse impacts to neighboring properties.

FISCAL CONSIDERATIONS: None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

PREVIOUS COUNCIL and/or COMMITTEE ACTION: None. This action is an appeal of a Process Four Planning Commission decision to approve the project.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: The Peninsula Community Planning Group met on two separate occasions and recommended denial of the variance request.

- On May 17th, 2007, information presented by neighborhood opposition was stated without allowing applicant equal rebuttal time and the meeting ended. During the meeting there were two motions presented concerning this property and neither one passed.
 - The first motion was to approve the project as presented. The motion failed by a vote of 3-7-0.
 - The subsequent motion was to deny the project as presented. This motion also failed by a vote of 7-3-0.
- On September 20th, 2007, after debate, the Peninsula Community Planning Group voted 8-1-3 to deny the project.

Board members denied the project primarily on the basis the requested variance had no benefits to the public. In addition, some members needed more information and had some legal concern, and one member had to recuse.

KEY STAKEHOLDER: Federico Liberatore, Owner
Skip Shaputnic, Architect

CONCLUSION

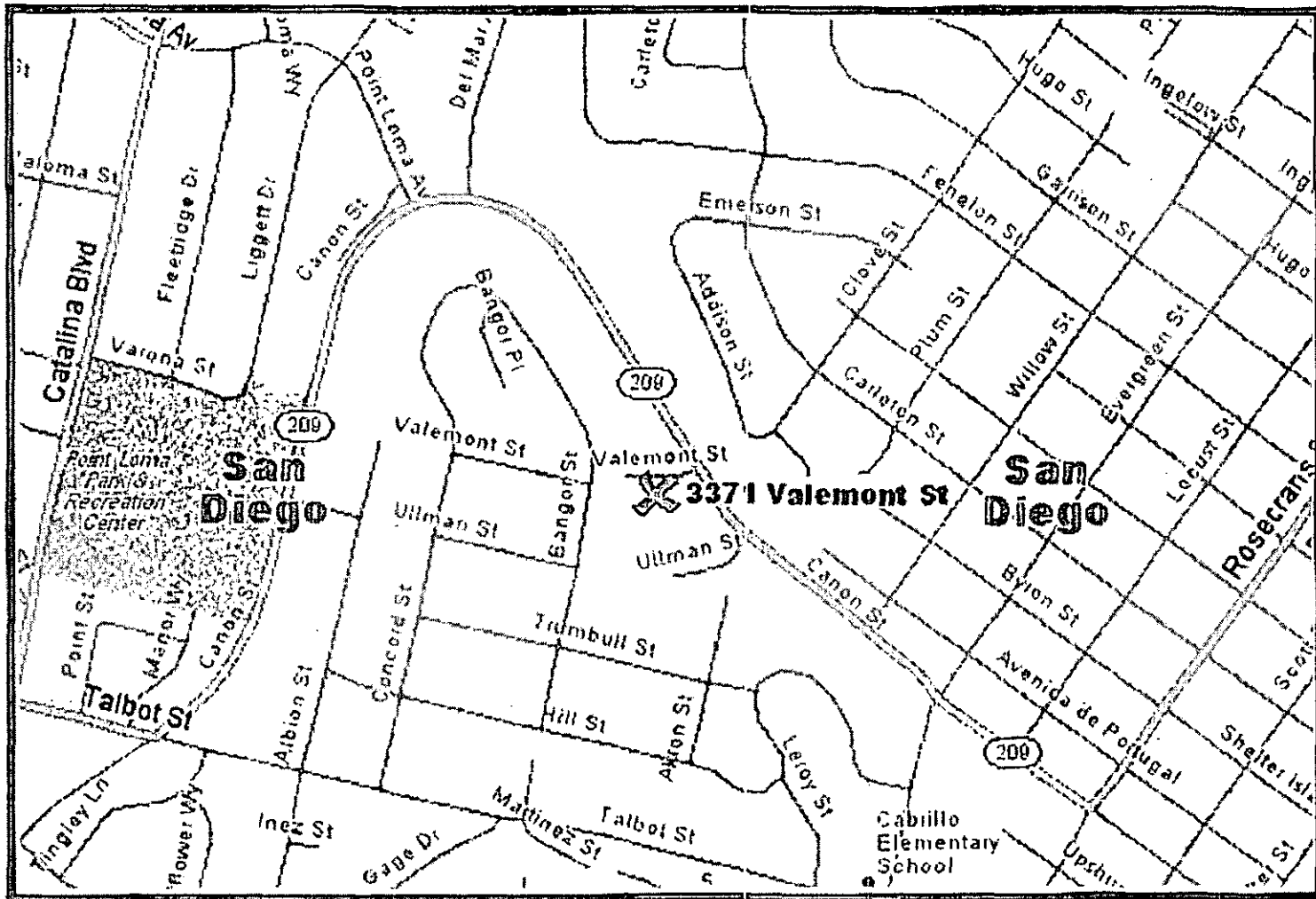
Staff has determined that the proposed project is consistent with the Peninsula Community Plan and Local Coastal Program and conforms to the applicable regulations of the Land Development Code regarding the RS-1-7 Zone, as allowed through the Site Development Permit, Neighborhood Use Permit and Variance Process. Staff has determined the proposed deviation for a street access will not adversely affect the General Plan, the

Peninsula Community Plan, and is appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone. Staff believes the required findings can be supported as substantiated in the Findings (Attachment 8) and recommends that the City Council deny the appeal and uphold the approval of the project as conditioned.

Kelly Broughton
Director, Development Services Department

ATTACHMENTS:

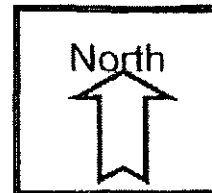
1. Location Map
2. Aerial Photographs
3. Precise Plan Land Use Map
4. Project Data Sheet
5. Project Development Plans
6. Site Photos
7. Existing Driveway within Valemont Street by others
8. Planning Commission Resolution
9. Proposed Draft Permit
10. Negative Declaration/ Notice of Determination
11. Community Planning Group Recommendation
12. Report to the Planning Commission No. PC-08-106
13. Appeal Application (Dated November 14, 2008)
14. Oppositions and Support Letters
15. Community Plan Figures
16. Water Quality Technical Report
17. Drainage Study
18. Ownership Disclosure Form



Project Location Map

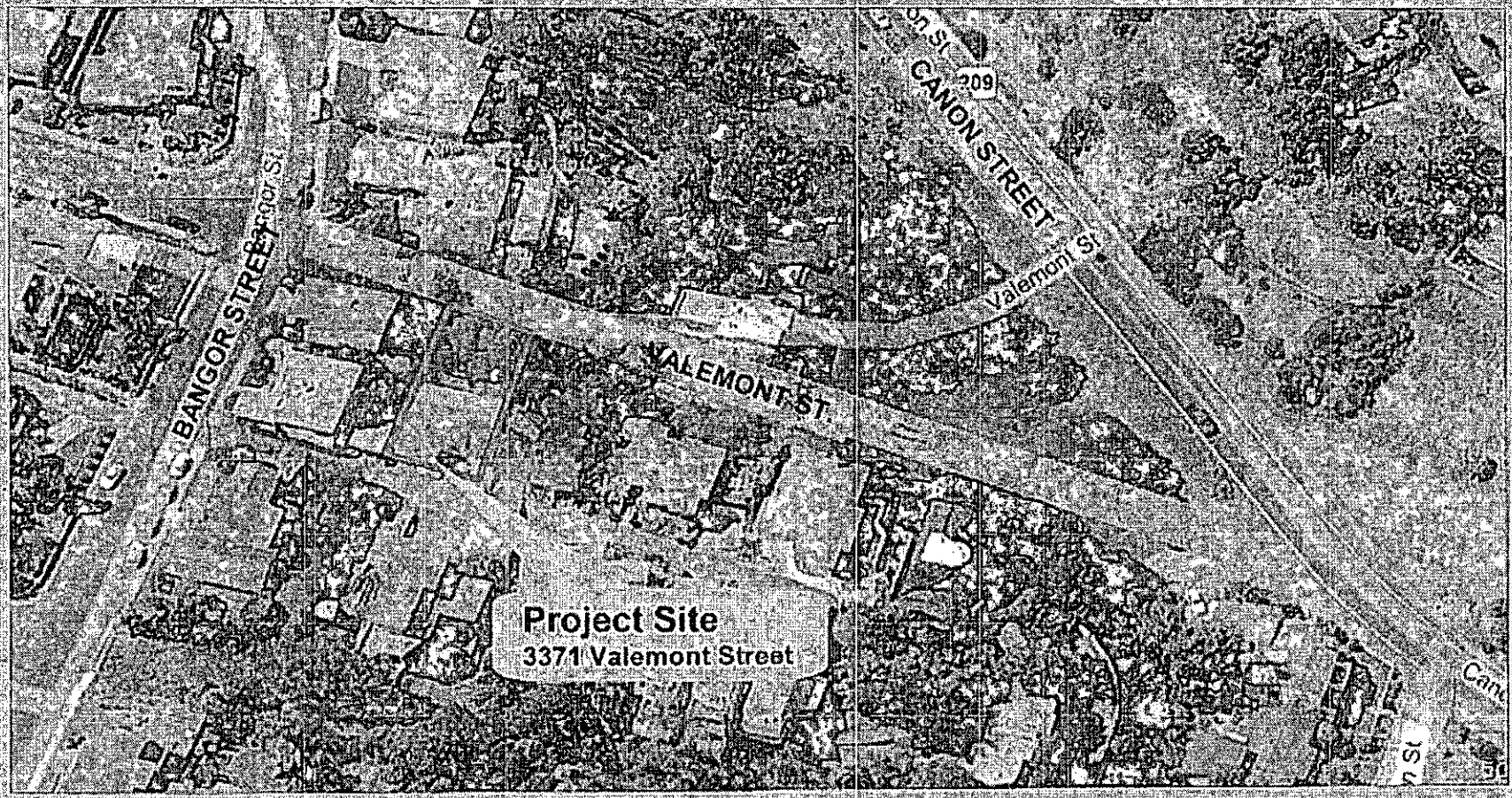
LIBERATORE RESIDENCE - PROJECT NO. 113555

3371 Valemont Street.



Development Services Department
Project Management

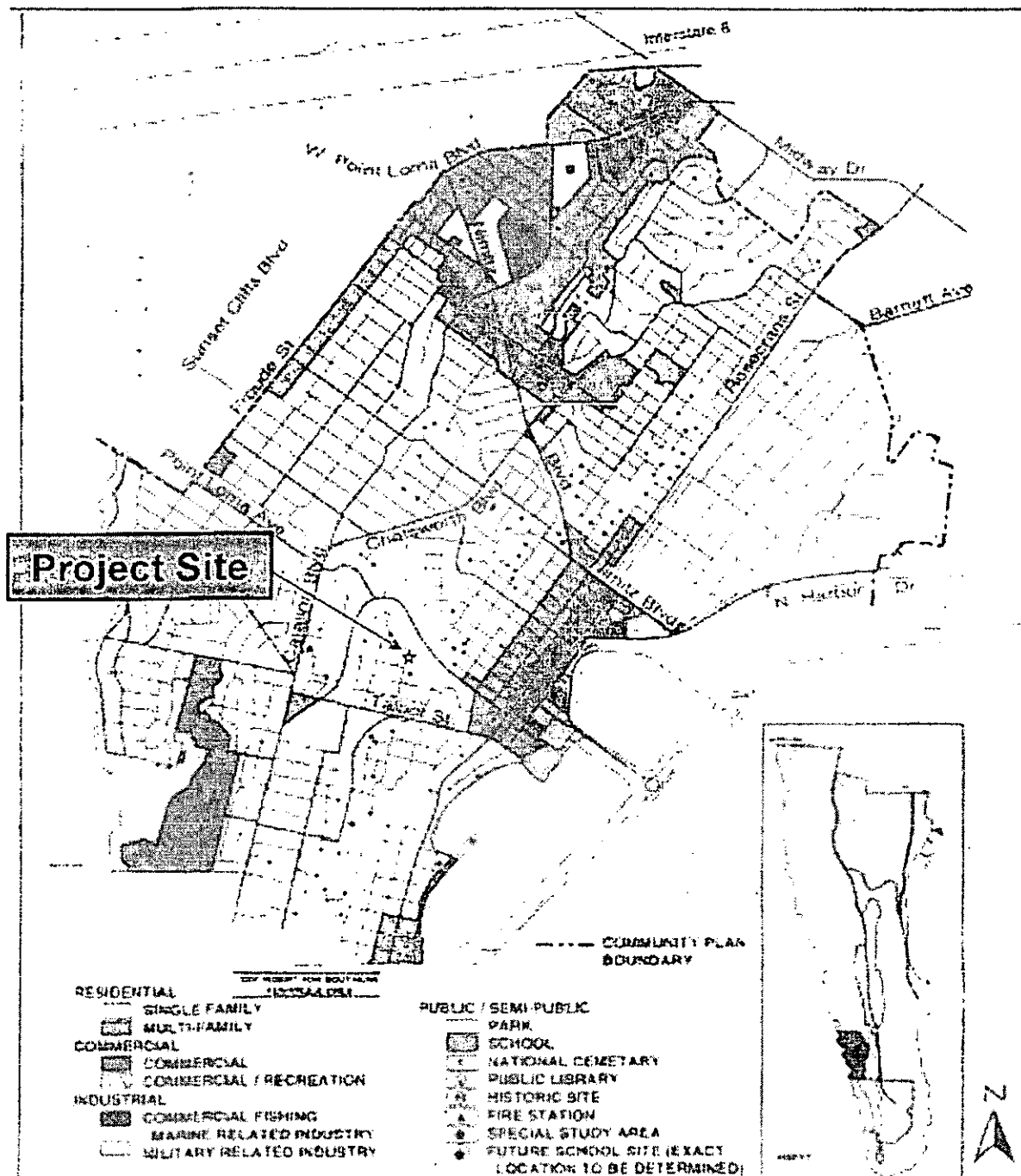
Location





Peninsula: Liberatore Residence - Project No. 113555

CITY OF SAN DIEGO · DEVELOPMENT SERVICES

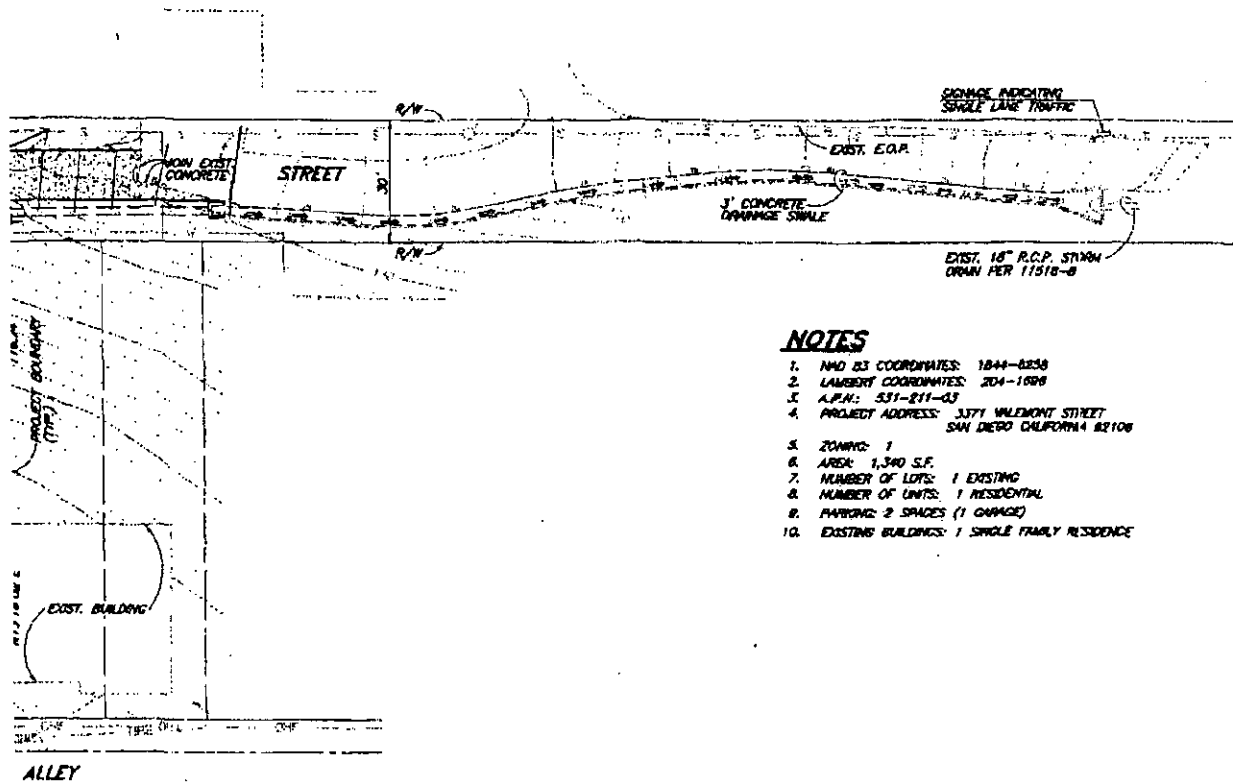


PROJECT DATA SHEET

PROJECT NAME:	Liberatore Residence	
PROJECT DESCRIPTION:	688 sf guest quarters and 652 sf garage on a 5,836 sf site currently developed with a 1,567 sf single-family residence.	
COMMUNITY PLAN AREA:	Peninsula	
DISCRETIONARY ACTIONS:	SDP (private driveway in public right-of-way), NUP (guest quarters), Variance (street access).	
COMMUNITY PLAN LAND USE DESIGNATION:	Single-Family Residential (9 du/ac)	
<u>CURRENT ZONING INFORMATION:</u> ZONE: RS-1-7 HEIGHT LIMIT: 30' max - proposed = 30' LOT SIZE: 5,000 sf min - existing = 5,836 sf FLOOR AREA RATIO: 0.59 max - proposed = 0.50 (max GFA for GQ = 689 sf (20% of max FAR - Proposed = 688 sf) FRONT SETBACK: 6' min - proposed = 6' SIDE SETBACK: 4' min - proposed = 4' (east side) and 13.5 feet (west side) Existing residence observes 4' on both sides STREETSIDE SETBACK: N/A REAR SETBACK: 5' min - Existing residence observes 5' PARKING: 3 parking spaces min - proposed = 2 new spaces + one existing enclosed space (3 total)		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Single-Family; RS-1-4	Single-Family
SOUTH:	Single-Family; RS-1-7	Single-Family
EAST:	Single-Family; RS-1-7	Single-Family
WEST:	Single-Family; RS-1-7	Single-Family
DEVIATIONS OR VARIANCES REQUESTED:	Variance to permit a street access which does not conform with the applicable development regulations of the Land Development Code that prohibit access from a street for properties with access to an alley and less than 150 feet of total frontage.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	The Peninsula Community Planning Group voted twice to recommend denial of the project: On May 17 th , 2007, the group voted 3-7-0. On September 20 th , 2007, the group voted 8-1-3.	



PRELIMINARY GRADING/SITE DEVELOPMENT PLAN LIBERATORE RESIDENCE



NOTES

1. NAD 83 COORDINATES: 1844-8258
2. LAMBERT COORDINATES: 204-1508
3. A.P.M.: 531-211-03
4. PROJECT ADDRESS: 3371 VALENTINE STREET
SAN DIEGO CALIFORNIA 92106
5. ZONING: 1
6. AREA: 1,340 S.F.
7. NUMBER OF LOTS: 1 EXISTING
8. NUMBER OF UNITS: 1 RESIDENTIAL
9. PARKING: 2 SPACES (1 GARAGE)
10. EXISTING BUILDINGS: 1 SINGLE FAMILY RESIDENCE

LEGEND

SYMBOL	DESCRIPTION
---	PROJECT BOUNDARY
---	EXIST. LOT LINE
---	EXIST. BUILDING OUTLINES
---	DIRECTION OF FLOW
---	EXIST. CURB AND GUTTER
---	CONCRETE
---	SPOT ELEVATION
---	EXIST. SPOT ELEVATION
---	EXISTING
---	T.C. TOP OF CURB
---	F.G. FINISH GROUND
---	F.S. FINISH SURFACE
---	E. FLOW LINE
---	E.O.P. EDGE OF PAVEMENT
---	T.M. TOP OF WALL
---	B.M. BOTTOM OF WALL
---	BROW DITCH
---	EXIST. BROW DITCH
---	RETAINING WALL
---	STORM DRAIN
---	STORM DRAIN CLEANOUT WITH GRATE
---	INDICATES RETAINING BUILDING WALL
---	PROPOSED STORM DRAIN AND INLET
---	EXIST. SEWER AND MANHOLE
---	EXIST. WATER
---	EXIST. STORM DRAIN AND INLET
---	EXIST. OVERHEAD POWER LINES
---	EXIST. FENCE
---	EXIST. HEADWALL
---	7" TYPE HEADWALL PER D-34

LEGAL DESCRIPTION

ALLEY CLOSED ADJACENT AND LOTS 18 AND 19 OF BLOCK 1 TRACT 423
IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

GRADING TABULATIONS

TOTAL AMOUNT OF SITE TO BE GRADED:	AREA 0.04 AC., 28% OF TOTAL SITE
AMOUNT OF CUT:	540 C.Y. AND MAX. DEPTH OF 18 FEET CUT
AMOUNT OF FILL:	50 C.Y.
MAX. HEIGHT OF FILL SLOPE(S):	2
MAX. HEIGHT OF CUT SLOPE(S):	6
AMOUNT OF EXPORT SOIL:	400 C.Y.
RETAINING WALLS:	1,100 S.F.

REFERENCE DRAWING

11518-1-B, 6782-L, 4052-L

TOPOGRAPHIC SOURCE

E.G. CHAPMAN, INC.
FIELD SURVEY COMPLETED: MAY 3, 2004

BENCHMARK

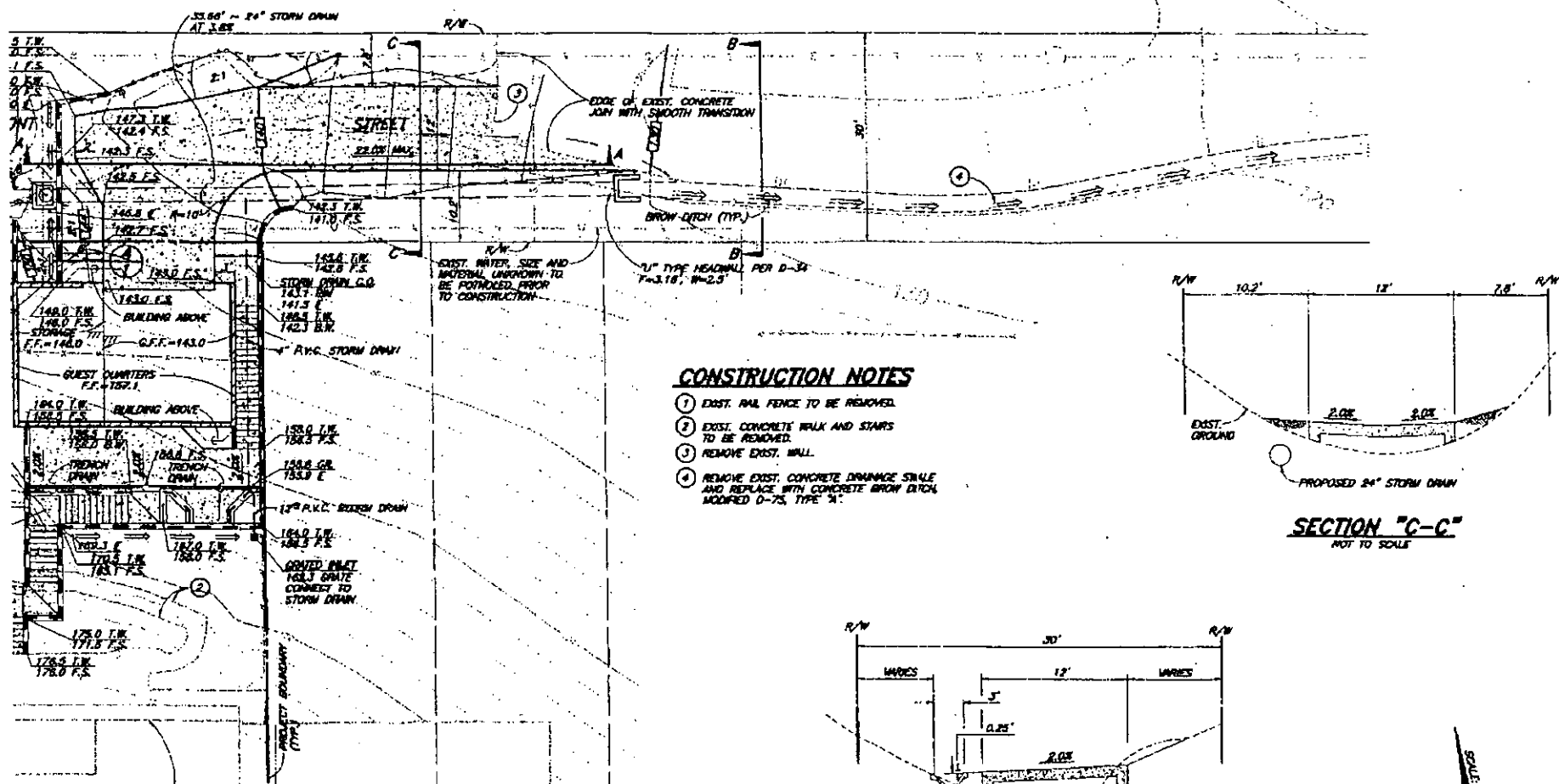
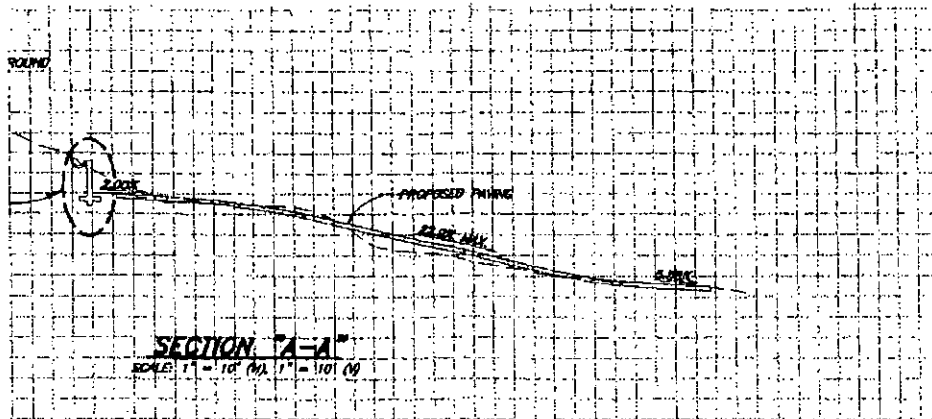
CITY OF SAN DIEGO BRASS PLUGS
2150 BANGOR STREET AND VALENTINE STREET
AT NORTHWEST CORNER—ELEVATION 187.83
4327 QUINN STREET AND EVERGREEN STREET
AT WEST CORNER—ELEVATION 53.70

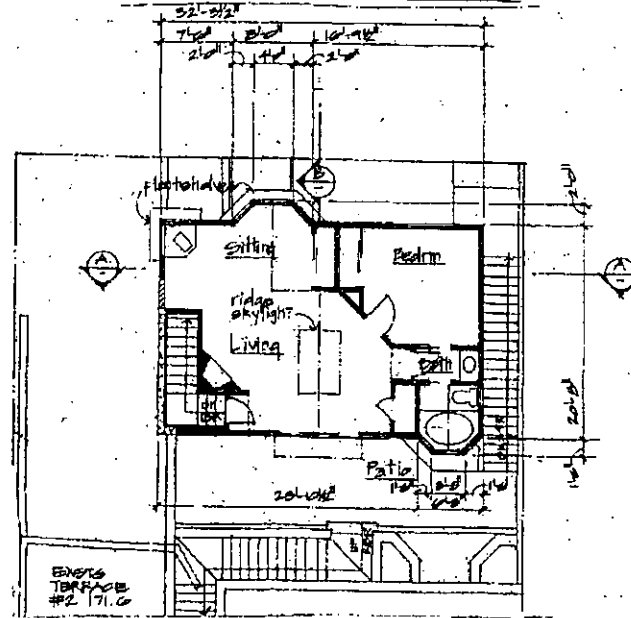
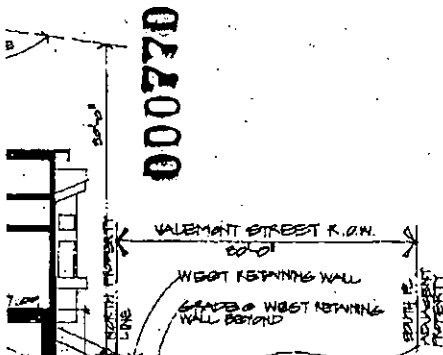
SURVEY NOTES

1. BASIS OF BENCHMARKS IS FROM NAD 83 STATIC G.P.S. MEASUREMENT
THE SOUTHEASTERLY CORNER OF LOT 2, MAP NO. 6164 AND THE
INTERSECTION OF THE CENTERLINE OF VALENTINE STREET AND THE

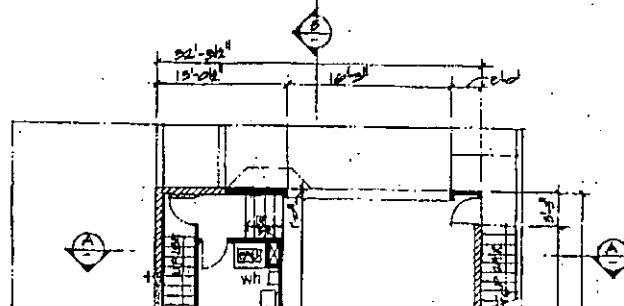
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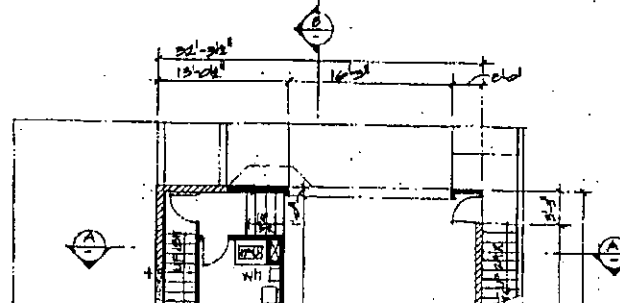
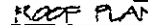
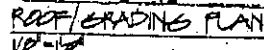
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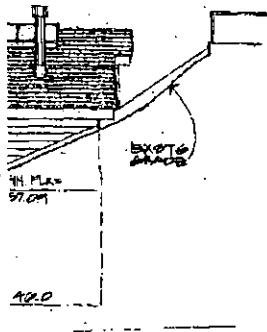




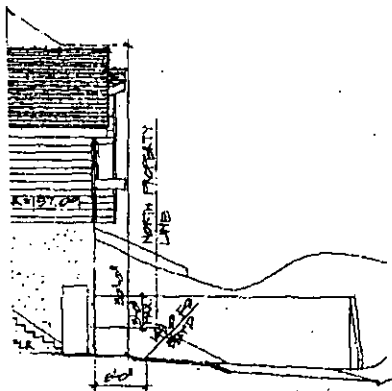
GUEST QUARTERS PLAN
SECOND FLOOR. 1/2" = 1'-0"





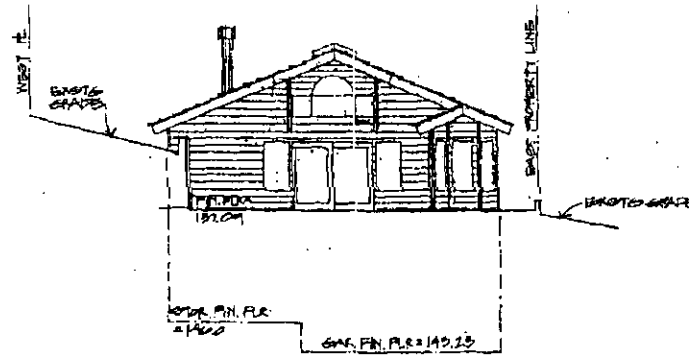


ELEVATION

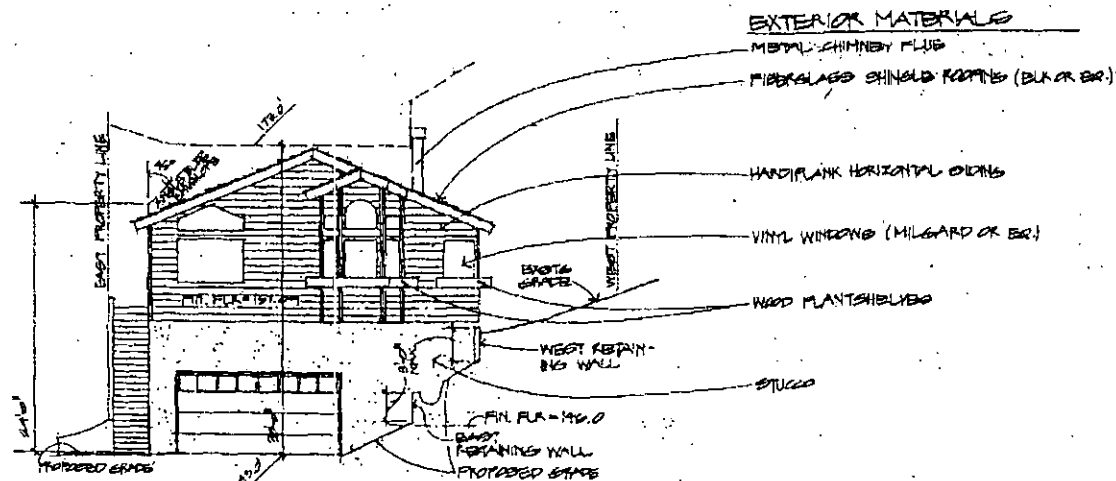


ELEVATION

000772



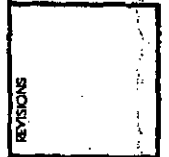
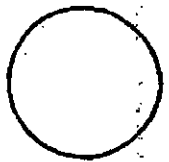
SOUTH ELEVATION
1/2" = 1'-0" TYP.



NORTH ELEVATION

EXTERIOR MATERIALS

- METAL CHIMNEY FLUE
- FIBERGLASS SHINGLE ROOFING (BLK OR BR.)
- HANDRAIL HORIZONTAL SLATS
- VINYL WINDOWS (MILGARD OR BR.)
- WOOD PLANTERS/BOXES
- STUCCO



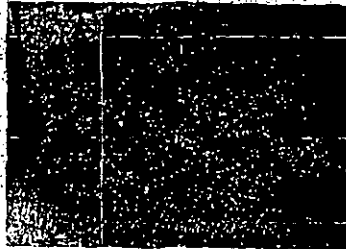
NEW SUBST QUARTERS FOR:
FRED LIBERATORE
3871 VALENT ST. SAN DIEGO, CA

ip
aputic
chitect
SAN DIEGO, CA 92101 • 619 222-1680

SMALL CALIFORNIA NATIVE TREES FOR HABITAT RESTORATION AND EROSION CONTROL



DICHONDRA OCCIDENTALIS
"WESTERN COLT'S FOOT"



MAHONIA PINNATA
"HOLLY-GRAPE" (southern species)



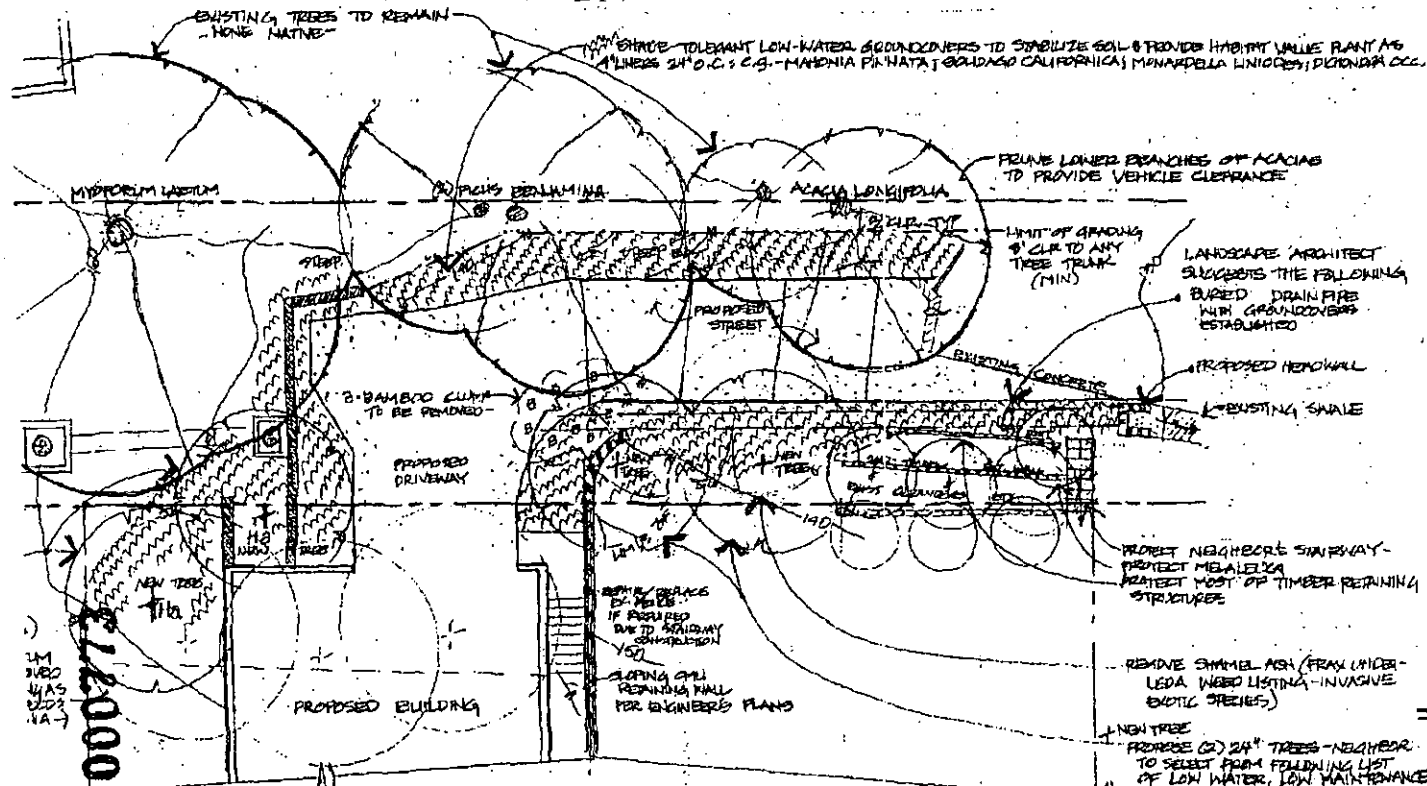
CERCOCARPUS BETULOIDES
"MOUNTAIN MAHOGANY"



HYETEROMELES ARBUTIFOLIA "TOYON" or "CALIFORNIA HOLLYBERRY"



KAY STEWART
Landscape Architect
(619) 234-2668
2171 India Street • Suite A
San Diego, California 92101



VALEMONT ST. R.O.W., LANDSCAPE
FRED LIBERATORE

3371 VALENT ST. SAN DIEGO CA 92106

ISSUED
07/24/84
REVISED
SHEET

STUDY AREA

NEW GUEST QUARTERS FOR:

FRED LIBERATORE

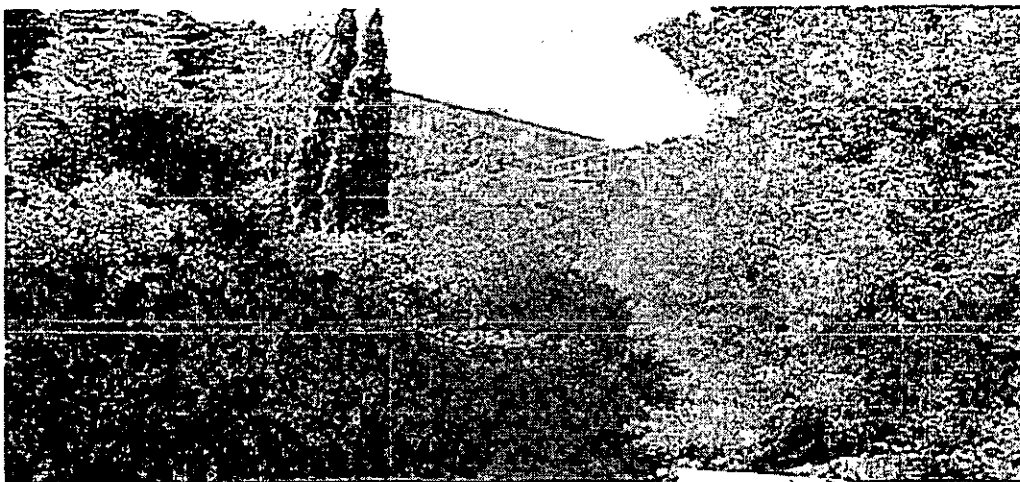
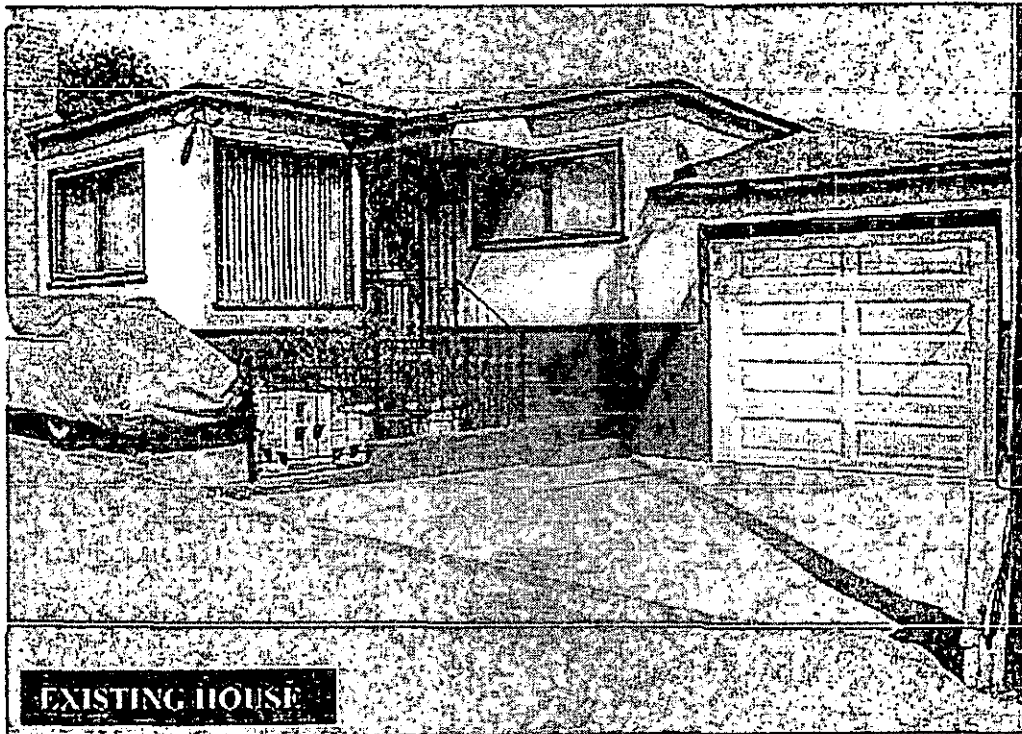
3871 VALENT ST. SAN DIEGO, CA

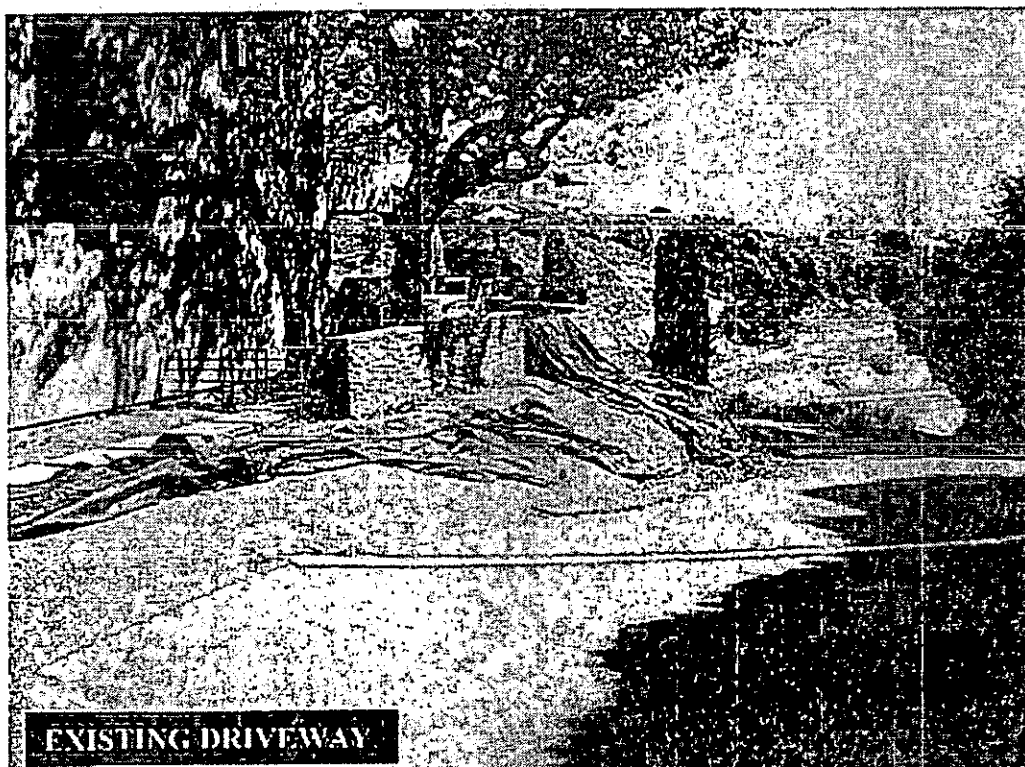
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ATTACHMENT 6



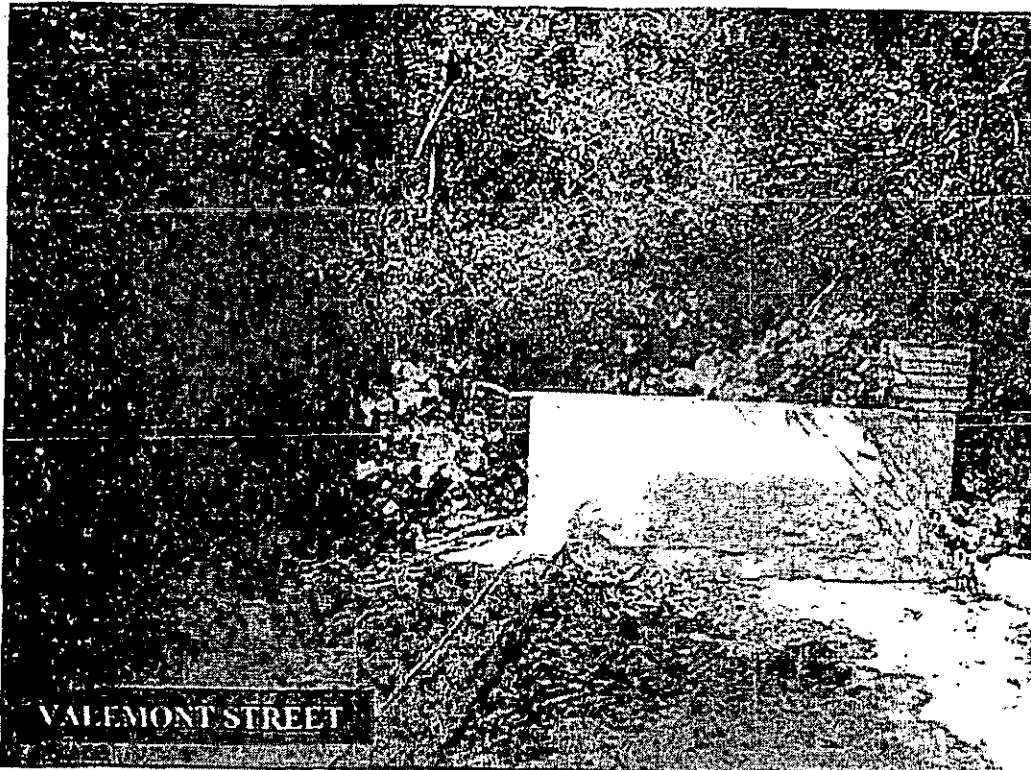


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ATTACHMENT 6



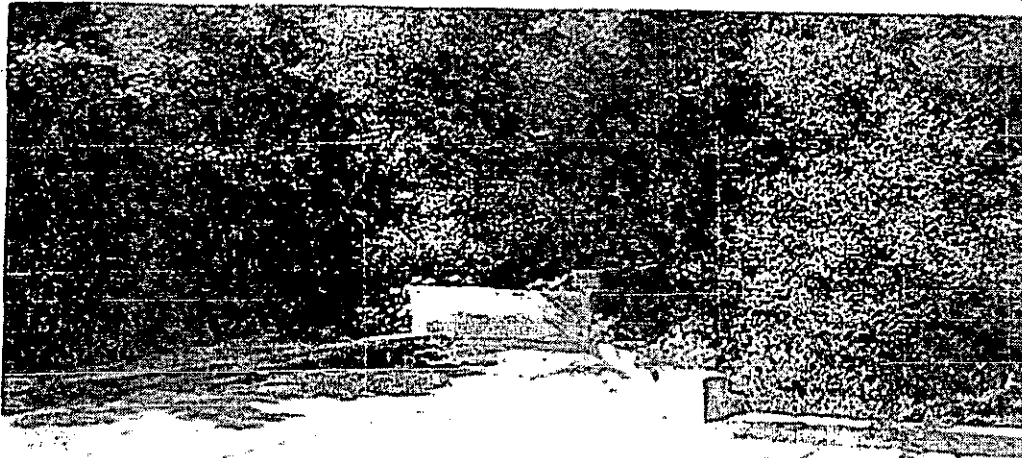
VALEMONT STREET



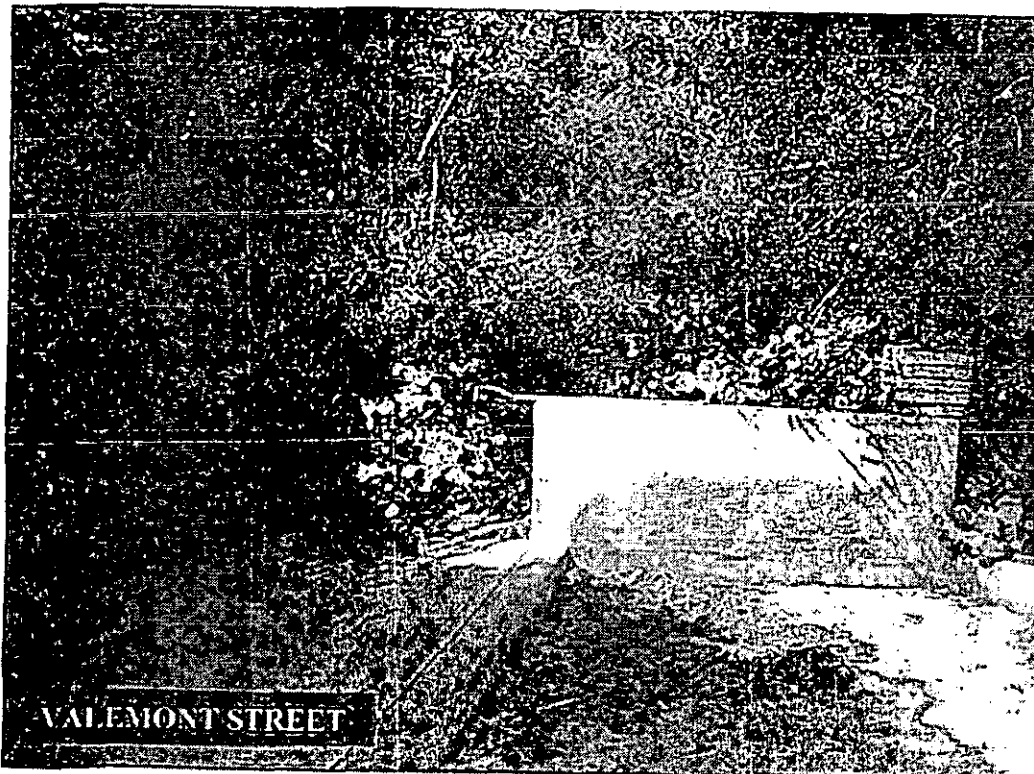
VALEMONT STREET

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ATTACHMENT 6



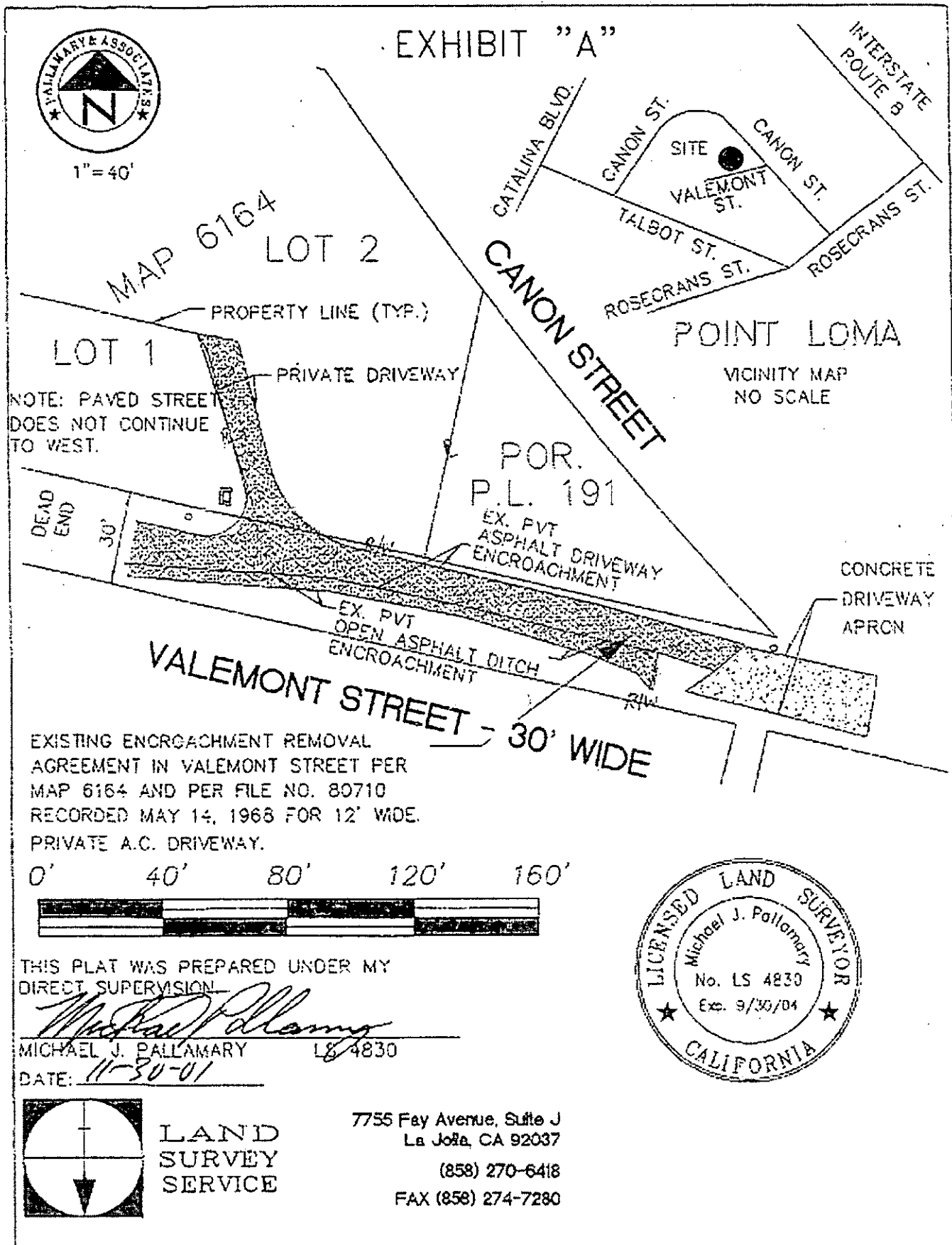
VALEMONT STREET



VALEMONT STREET

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ATTACHMENT 7



PLANNING COMMISSION
RESOLUTION NO. 4478-PC
NEIGHBORHOOD USE PERMIT NO. 381871
SITE DEVELOPMENT PERMIT NO. 470555
VARIANCE NO. 470554
LIBERATORE RESIDENCE – PROJECT NO. 113555

WHEREAS, FEDERICO LIBERATORE, Owner/Permittee, filed an application with the City of San Diego for a permit to construct a new Guest-Quarters over a partial underground garage on a 5,836 square-foot lot with an existing single family residence (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 381871, 470555 and 470554), on portions of a 0.13-acre site;

WHEREAS, the project site is located at 3371 Valemont Street, in the RS-1-7 Zone, Coastal Height Limit Overlay Zone, and Airport Approach Overlay Zone, within the Roseville Heights neighborhood of the Peninsula Community Plan and Local Coastal Program Land Use Plan;

WHEREAS, the project site is legally described as Lots 18 and 19, Block 1 of Roseville Heights, Map No. 423;

WHEREAS, on November 6, 2008, the Planning Commission of the City of San Diego considered Neighborhood Use Permit No. 381871, Site Development Permit No. 470555, and Variance No. 470554 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated November 6, 2008.

FINDINGS:

Neighborhood Use Permit - Section §126.0205

1. The proposed development will not adversely affect the applicable land use plan.

The proposed development is located at 3371 Valemont Street in the RS-1-7 Zone within the Peninsula Community Plan Area. The project site has legal frontage and abutters rights both on an existing Valemont/Ullman Alley (at the top of the property) and partially improved Valemont Street (below). The proposed construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage will be developed on 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage which will remain, conforms with the certified Peninsula Community Plan and Local Coastal Program Land Use Plan which designates this site for single family residence uses. The project also proposes a partial improvement of Valemont Street to extend Valemont Street as a driveway to the site at the north east side of the property. This extension would provide vehicle access to the proposed garage and guest quarters. As such, the proposed development will result in the provision of

ATTACHMENT 8

additional off-street parking for the existing dwelling (two spaces where one is now provided) thus bringing it current with parking regulations, and it will provide the required parking for the guest quarter's parking (one space per bedroom). The guest quarters have been designed to blend in with the surrounding area which consists of one, and two-story homes.

The project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the RS-1-7 Zone, the Coastal Height Limit Overlay Zone, the adopted Peninsula Community Plan and Local Coastal Program Land Use Plan, and the City of San Diego Progress Guide and General Plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The new 1,340-square-foot, two-story structure including a 688-square-foot guest quarters above a detached partial subterranean 652-square-foot two-car garage will be developed on 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage which will remain. The new guest quarters consists of a living-room with bar sink, bedroom, one bath, and a porch, and is located above a two-car garage, which will be accessed from Valemont Street.

The project has been evaluated for potential impacts to sensitive vegetation and environmentally sensitive areas. As outlined in Negative Declaration No. 113555, the proposed project would not have a significant effect on the environment, therefore no mitigation was required. A Water Quality Technical Report was prepared which outlines the best management practices for construction and drainage on the site to ensure drainage and run-off is appropriately dealt with.

In addition, storm run-off has been a long-standing problem for this part of the neighborhood. Storm run off will be significantly improved in conjunction with this Project. Storm discharge from a drain day-lights in the right of way located just west of the subject site and will be connected to a new underground storm drain system depicted on Civil Engineer's drawing.

This system will collect on and off site water that will be directed into a storm drain located under the proposed driveway. It will then be discharged into the existing drainage ditch located on the south side of Valemont Street, thus reducing the flooding potential that exists to downhill properties. To minimize the amount of surface flow going downhill on the pavement, the proposed driveway will slope 2% to the existing drainage ditch. As also stated in the Negative Declaration, this proposed drainage system has been reviewed and accepted by City staff.

The quest quarters would be constructed per Building Code requirements and adequate parking for the guest quarters will be provided. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code.

The proposed development includes the construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage on a 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage accessed from an existing Valemont/Ullman alley at the southern side of the site. The regulations prohibit access from a street when access can be taken from the alley. The proposed project creates a need to access required parking (for the Guest Quarters) to be taken from the Street thru a private driveway opening. Therefore, the project also proposes a partial improvement of Valemont Street (partially improved) to extend Valemont Street as a driveway to the site at the north east side of the property to provide vehicle access to the proposed garage and guest quarters. The proposed driveway extension will be entirely within the dedicated public right-of-way.

An approved Neighborhood Use Permit, a Site Development Permit and a Variance would allow the encroachment and deviation to provide for a design that is compatible with the surrounding neighborhood. Thus, the proposed project meets the intent, purpose, and goals of the underlying zone, and the Peninsula Community Plan and Local Coastal Program Land Use Plan, and complies to the maximum extent feasible with the regulations of the Land Development Code. Therefore, the proposed development will not adversely affect the applicable land use plan.

Site Development Permit - Section §126.0504(a)

I. The proposed development will not adversely affect the applicable land use plan.

The proposed development is located at 3371 Valemont Street in the RS-1-7 Zone within the Peninsula Community Plan Area. The project site has legal frontage and abutters rights both on the existing Valemont/Ullman Alley (at the top of the property) and partially improved Valemont Street (below). The proposed construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage will be developed on 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage which will remain, conforms with the certified Peninsula Community Plan and Local Coastal Program Land Use Plan which designates this site for single family residence uses. The project also proposes a partial improvement of Valemont Street (partially unimproved) to extend Valemont Street as a driveway to the site at the north east side of the property to provide vehicle access to the proposed garage and guest quarters. As such, the proposed development will result in the provision of additional off-street parking for the existing dwelling (two spaces where one is now provided) thus bringing it current with parking regulations, and it will provide the required parking for the guest quarter's parking (one space per bedroom). The project will be visually compatible with the surrounding neighborhood. The guest quarters have been designed to blend in with the surrounding area which consists of one, and two-story homes.

The project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the RS-1-7 Zone, the Coastal Height Limit Overlay Zone, the adopted Peninsula Community Plan and Local Coastal Program Land Use Plan, and the City of San Diego General Plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

ATTACHMENT 8

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The new 1,340-square-foot, two-story structure including a 688-square-foot guest quarters above a detached partial subterranean 652-square-foot two-car garage will be developed on 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage which will remain. The new guest quarters consists of a living-room with bar sink, bedroom, one bath, and a porch, and is located above a two-car garage, which will be accessed from Valemont Street.

The project has been evaluated for potential impacts to sensitive vegetation and environmentally sensitive areas. As outlined in Negative Declaration No. 113555, the proposed project would not have a significant effect on the environment, therefore no mitigation was required. A Water Quality Technical Report was prepared which outlines the best management practices for construction and drainage on the site to ensure drainage and run-off is appropriately dealt with.

In addition, storm run-off has been a long-standing problem for this part of the neighborhood. Storm run off will be significantly improved in conjunction with this Project. Storm discharge from a drain day-lights in the right of way located just west of the subject site and will be connected to a new underground storm drain system depicted on Civil Engineer's drawing.

This system will collect on and off site water that will be directed into a storm drain located under the proposed driveway. It will then be discharged into the existing drainage ditch located on the south side of Valemont Street, thus reducing the flooding potential that exists to downhill properties. To minimize the amount of surface flow going downhill on the pavement, the proposed driveway will slope 2% to the existing drainage ditch. As also stated in the Negative Declaration, this proposed drainage system has been reviewed and accepted by City staff.

The guest quarters would be constructed per Building Code requirements and adequate parking for the guest quarters will be provided. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the regulations of the Land Development Code.

The proposed development includes the construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage on a 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage accessed from the existing Valemont/Ullman alley at the southern side of the site. The regulations prohibit access from a street when access can be taken from the alley. The proposed project creates a need to access required parking (for the Guest Quarters) to be taken from the Street thru a private driveway opening. Therefore, the project also proposes a partial improvement of Valemont Street (partially improved) to extend Valemont Street as a driveway to the site at the north east side of the property to provide vehicle access to the proposed garage and guest quarters. The proposed driveway extension will be entirely within the dedicated public right-of-way.

An approved Neighborhood Use Permit, a Site Development Permit and a Variance would allow the encroachment and deviation to provide for a design that is compatible with the surrounding neighborhood. Thus, the proposed project meets the intent, purpose, and goals of the underlying zone, and the Peninsula Community Plan and Local Coastal Program Land Use Plan, and complies to the maximum extent feasible with the regulations of the Land Development Code. Therefore, the proposed development will not adversely affect the applicable land use plan.

Supplemental Findings, Public Right-of Way Encroachments(o)

1. The proposed encroachment is reasonably related to public travel, or benefits a public purpose, or all record owners have given the applicant written permission to maintain the encroachment on their property;

The proposed Project would involve the extension of the partially improved Valemont Street public right-of-way as a driveway to the site to provide vehicular access to the guest quarters and garage at the lower portion of the property. In order to achieve legal access rights to Valemont Street, the applicant proposes the installation of a private driveway which would necessitate the approval of a Site Development Permit and a Variance for a second curb cut to an existing property. The existing single family home at the top of the slope is provided with very limited vehicular access from the Alley and provides only a one car garage for the existing single family residence. The proposed guest quarters (at the lower portion of the site) would be accessed with the improvement of a driveway extending Valemont Street to the two car garage and guest quarters.

The installation of a driveway is consistent with what other adjacent properties on Valemont Street have done to provide vehicular access. The short extension of Valemont to provide access to the owner's guest quarters and lower portion of the applicant's property is consistent with other private improvements that have already occurred in the Valemont "paper" Street. There will be no proposed gates or other obstructions to keep the public from utilizing the driveway within the public right of way. As such, the public will have full rights of travel on and across the proposed driveway.

The proposed driveway extension is located within a dedicated public right-of-way and does not encroach into private property. In addition, improvements of existing storm drainage problems will be of benefit to all homes within the vicinity thus providing a beneficial public purpose.

Therefore, the proposed encroachment is reasonably related to public travel, or benefits a public purpose, or all record owners have given the applicant written permission to maintain the encroachment on their property.

2. The proposed encroachment does not interfere with the free and unobstructed use of the public right-of-way for public travel;

The project proposes the construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage on a 5,836-square-foot site contains an existing 1,567 square-foot single family residence and one (1) car garage. Approval of the

proposed driveway extension will allow for free and unobstructed use for public travel. The extension will be entirely within the dedicated public right-of way. Signs will be posted at the bottom of Valemont Street indicating single lane traffic. The driveway extension will terminate in a dead end and provide a 3 point turnaround for emergency use and public convenience.

The driveway extension will not interfere with adjacent Valemont Street properties' private use of the street nor will it affect any existing encroachments held by other adjacent property owners for their private improvements within the public right of way. There will be no gate or other obstruction that would limit the public's use of the Valemont right of way.

Therefore, the proposed encroachment does not interfere with the free and unobstructed use of the public right-of-way for public travel.

3. The proposed encroachment will not adversely affect the aesthetic character of the community; and

The project proposes the construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage on a 5,836-square-foot site contains an existing 1,567 square-foot single family residence and one (1) car garage. The project will be visually compatible with the surrounding neighborhood. The guest quarters have been designed *to blend in with the surrounding area which consists of one, and two-story homes. Therefore, the* proposed driveway extension which is at grade, would also have no adverse affect on the aesthetic character of the community as it is consistent with how other neighbors have gained vehicular access to their properties.

In addition, there will be no substantial changes in topography or ground relief features and the site does not contain any unique geologic or physical features. Further, no distinctive or landmark trees would be removed. The proposed driveway extension will keep the three (3) largest existing canopy trees in the unimproved Valemont Street.

Therefore, the proposed encroachment will not adversely affect the aesthetic character of the community.

4. The proposed encroachment does not violate any other Municipal Code provisions or other local, state, or federal law.

With the approval of the Site Development Permit and Variance, the proposed development would comply with all applicable Municipal Code provisions and other local, state or federal laws.

Variance – Section §126.0805:

1. There are special circumstances or conditions applying to the land or *premises* for which the variance is sought that are peculiar to the land or *premises* and do not apply generally to the land or premises in the neighborhood, and these conditions have not resulted from any act of the *applicant* after the adoption of the applicable zone regulations.

The proposed development is located at 3371 Valemont Street within the Peninsula Community Plan Area. The 5,836 square-foot site is located within the RS-1-7 Zone and has legal frontage and abutters rights both on Valemont/Ullman Alley (at the top of the property) and partially unimproved Valemont Street (below). The proposed development includes the partial improvement of Valemont Street and the construction of a 688 square-foot guest quarters over a partially subterranean 652 square-foot garage on a 5,765 square-foot site which contains an existing 1,567 square-foot single family residence with one (1) car garage. The 652 square foot first floor of the guest quarters would be comprised of a two-car garage and storage area. The 688 square-foot second floor would be comprised of the guest quarters, including a bedroom, bathroom, and sitting room, with a patio.

There are special circumstances associated with the project site that are not the result of the actions of the owner. The lot is roughly rectangular with a steep gradient from the southern portion [186 feet above mean sea level (AMSL)] of the property down to the north [150 feet AMSL] for a grade differential of 36 feet. Further, the location of the existing one-story dwelling fronting the alley is located on the uphill portion of the site, which prohibits extending the existing driveway to the proposed guest quarters on the downhill portion of the site fronting Valemont Street. The only way to provide for vehicular access to the guest quarters and add additional parking spaces as required per the Land Development Code is to allow for a driveway extension through Valemont Street. The regulations prohibit access from a street when access can be taken from the alley; however, access from the alley is infeasible due to the topographic constraints of the site. The proposed driveway from the street to the new structure will allow the applicant reasonable use of their property and will improve previously conforming conditions by increasing the parking on site and improving drainage condition.

2. The circumstances or conditions are such that the strict application of the regulations of the Land Development Code would deprive the *applicant* of reasonable use of the land or *premises* and the variance granted by the City is the minimum variance that will permit the reasonable use of the land or *premises*.

The proposed development includes the partial improvement of Valemont Street and the construction of a 688 square-foot guest quarters over a partially subterranean 652 square-foot garage on a 5,765 square-foot site which contains an existing 1,567 square-foot single family residence with one (1) car garage. The existing conditions of the site including the steep gradient combined with the zoning requirements have caused difficulty in developing the property with a guest quarters. Therefore, the project requires a variance from the Land Development Code requirements pertaining to the number and location of driveway openings [SDMC 142.0560(J)(8)(c)]: "...For properties with access to an *alley* and less than 150 feet of total frontage, a driveway is not permitted, except that in the RM-1-1, RM-1-2, and RM-1-3 zones, one driveway may be permitted if the prohibition of a driveway opening would preclude achieving the maximum *density* permitted by the underlying zone".

The proposed structure meets all current regulations with the exception of the required driveway opening. The subject property is underdeveloped, the existing floor area ratio is only 0.27 (1,567 sq. ft.) where 0.59 (3,443 sq. ft.) is allowed for the zone. The small percentage of the existing site usage is due to the steep nature of the site gradient which does not occur in most of the other lots

within the neighborhood. Even with the proposed guest quarters, the floor area ratio will be only 0.50. The building will be under the maximum 30-foot height limit allowed by the zone.

The proposed variance to the development regulations would be the minimum necessary to develop the site with the proposed guest quarters and provide sufficient parking.

3. The granting of the variance will be in harmony with the general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare.

The purpose and intent of the SDMC requirements restricting driveway openings is to prevent the loss of available on-street parking and to protect pedestrian safety. Valemont Street is currently used as a private driveway, serving two other properties between the proposed guest quarters and Canon Street. There is no existing on-street parking provided. It is used for vehicular access. The proposed driveway opening will be consistent with current use. Further, there is no sidewalk on Valemont Street and as such impacts to pedestrians will be negligible.

The Project requires a Site Development Permit for the extension of the driveway on the Paper Street and a Variance for the second curb cut (the existing curb cut above on Valemont/Ullman alley and a new curb cut below on partially improved Valemont Paper Street). Best Management practices (BMPs) are required to ensure drainage and run-off is appropriately dealt with. The Project site is not located within or adjacent to the Multi-habitat Planning Area (MHPA) of the City's Multiple Species Conservation Program. The Project site is located within an existing urbanized area. The proposed Project was found to not have a significant effect on the environment. The Project would be designed and constructed pursuant to all applicable zoning and building codes and inspected for compliance with building standards.

The installation of a driveway is consistent with what other adjacent properties on Valemont Street have done to provide vehicular access. The short extension of Valemont to provide access to the owner's guest quarters and lower portion of the applicant's property is consistent with other private improvements that have already occurred in the Valemont "paper" Street. There will be no proposed gates or other obstructions to keep the public from utilizing the driveway within the public right of way. As such, the public will have full rights of travel on and across the proposed driveway.

The proposed driveway extension is located within a dedicated public right-of-way and does not encroach into private property. In addition, improvements of existing storm drainage problems will be of benefit to all homes within the vicinity thus providing a beneficial public purpose.

Therefore, the proposed development would be in harmony with the general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare.

4. The granting of the variance will not adversely affect the applicable *land use plan*.

The proposed development is located at 3371 Valemont Street in the RS-1-7 Zone within the Peninsula Community Plan Area. The project site is designated for single-family residential in the Peninsula Community Plan with a density yield of 6-9 dwelling units per net residential acre,

and is subject to the Proposition D thirty foot (30') height limit. A main objective of the residential element is to, "Conserve character of existing stable single-family neighborhoods throughout Peninsula including the very low-density character of certain neighborhoods."

The proposed construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage will be developed on 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage, conforms with the Community Plan designation and will not have a detrimental impact on the community plan designation.

The project also proposes a partial improvement of Valemont Street to provide vehicle access to the proposed garage and guest quarters. As such, the proposed development will result in the provision of additional off-street parking for the existing residence and compliance with current parking regulations. The proposed project would also provide the required parking for the guest quarters. The project will be visually compatible with the surrounding neighborhood. The guest quarters have been designed to blend in with the surrounding area which consists of one, and two-story homes.

The project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the RS-1-7 Zone, the Coastal Height Limit Overlay Zone, the adopted Peninsula Community Plan and Local Coastal Program Land Use Plan, and the City of San Diego General Plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Neighborhood Use Permit No. 381871, Site Development Permit No. 470555 and Variance No. 470554 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 381871, 470555 and 470554, a copy of which is attached hereto and made a part hereof.

Laila Iskandar
Development Project Manager
Development Services

Adopted on: November 6, 2008

Job Order No. 42-6968

cc: Legislative Recorder, Planning Department

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-6968

NEIGHBORHOOD USE PERMIT NO. 381871
SITE DEVELOPMENT PERMIT NO. 470555
VARIANCE NO. 470554
LIBERATORE RESIDENCE – PROJECT NO. 113555
CITY COUNCIL
DRAFT

This Neighborhood Use Permit No. 381871, Site Development Permit No. 470555, and Variance No. 470554 are granted by the City Council of the City of San Diego to FEDERICO LIBERATORE, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0205, 126.0504, and 126.0805. The 0.13-acre project site is located at 3371 Valemont Street, in the RS-1-7 Zone, Coastal Height Limit Overlay Zone, and the Airport Approach Overlay Zone, within the Roseville Heights neighborhood of the Peninsula Community Plan and Local Coastal Program Land Use Plan. The project site is legally described as Lots 18 and 19, Block 1 of Roseville Heights, Map No. 423.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a new Guest-Quarters over a partial underground garage on a 5,836 square-foot lot with an existing single family residence, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 10, 2009, on file in the Development Services Department.

The project shall include:

- a. Construction of a new 1,340 square-foot, two story structure consisting of:
 - 1) 688- square-foot Guest-Quarters.
 - 2) Partial subterranean 652-square-foot, two-car garage.
- b. Extension of the partially improved Valemont Street public right-of-way as a driveway to the site.

- c. Variance to the RS-1-7 zoning regulations as follows:
 - Allow for street access in addition to the existing alley access.
- d. Off-street parking facilities;
- e. Landscaping (planting, irrigation and landscape related improvements);
- f. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies

including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

8. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.

ENGINEERING REQUIREMENTS:

11. Prior to the issuance of any construction permits, the applicant shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
12. Prior to the issuance of any construction permits, the applicant shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.
13. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of drainage pipes, a concrete driveway, a drainage swale and other drainage appurtenances, all private, per the approved exhibit, in the Valemont Street right-of-way, all satisfactory to the City Engineer.
14. Prior to the issuance of any building permits, the applicant shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
15. Prior to the issuance of any building permits, the applicant shall obtain an Encroachment Maintenance and Removal Agreement, for a private driveway and various private drainage structures and appurtenances in the Valemont Street right-of-way, all satisfactory to the City Engineer.
16. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of a 3-point turnaround and signage on the proposed driveway, satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

17. No fewer than three (3) off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.
18. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
19. The guest quarters shall not be rented, leased, or sold as a separate dwelling unit.
20. Prior to issuance of the Building Permit, the property owner shall submit a signed agreement with the City that specifies that the guest quarters shall not be used as, or converted to, a companion unit or any other dwelling unit. The agreement shall include a stipulation that

neither the primary dwelling unit nor the guest quarters shall be sold or conveyed separately. The City will provide the agreement to the County Recorder for recordation.

21. The guest quarters shall be used solely by the occupants of the primary dwelling unit, their guests, or their employees.

22. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code §66020.
- This development may be subject to impact fees at the time of construction permit issuance

APPROVED by the City Council of the City of San Diego on March 10, 2009, by Resolution No. XXXX.

000796

ATTACHMENT 9

Permit Type/PTS Approval No.: NUP 492118, SDP 470555, VAR 470554
Date of Approval: March 10, 2009

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

Laila Iskandar
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

[Federico Liberatore]
Owner/Permittee

By _____

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

TO: X Recorder/County Clerk
P.O. Box 1750, MS A33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

FROM: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

 Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

PROJECT NUMBER: 113555

STATE CLEARINGHOUSE NUMBER: N/A

PERMIT APPLICANT: Fredrico Liberatore., 3371 Valemont Street, San Diego, CA, 92106, (619) 544-5284

PROJECT TITLE: LIBERATORE RESIDENCE

PROJECT LOCATION: The project site located at 3371 Valemont, within City and County of San Diego.

PROJECT DESCRIPTION: NEIGHBORHOOD DEVELOPMENT PERMIT, SITE DEVELOPMENT PERMIT, AND VARIANCE to construct a two-story, detached, approximately 1,340-square-foot structure, which would be comprised of an approximately 688-square-foot guest quarters over an approximately 652-square-foot, two-car garage. The 6,237-square-foot project site is currently developed with a single-family residence, which would remain. The site is located at 3371 Valemont Street in the RS-1-7 zone of the Peninsula Community Plan and Local Coastal Program Land Use Plan, the Coastal Height Limit Overlay Zone, and the Airport Approach Overlay Zone. (APN: 531-211-0300).

This is to advise that the City of San Diego City Council, on _____, approved the above described project and made the following determinations:

1. The project in its approved form will, X will not, have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project and certified pursuant to the provisions of CEQA.
 X A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
 An addendum to Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

Record of project approval may be examined at the address above.

3. Mitigation measures were, X were not, made a condition of the approval of the project.
4. (EIR only) Findings were, were not, made pursuant to CEQA Guidelines Section 15091.
5. (EIR only) A Statement of Overriding Considerations was, was not, adopted for this project.

It is hereby certified that the final environmental report, including comments and responses, is available to the general public at the office of the Entitlements Division, Fifth Floor, City Operations Building, 1222 First Avenue, San Diego, CA 92101.

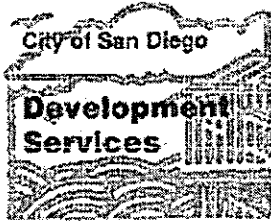
ANALYST: Shearer-Nguyen

TELEPHONE: (619) 446-5369

FILED BY: _____

Signature

Title



ENTITLEMENTS DIVISION
(619) 446-5460

REVISED FINAL NEGATIVE DECLARATION

Project No. 113555
SCH No. N/A

SUBJECT: LIBERATORE RESIDENCE: NEIGHBORHOOD DEVELOPMENT USE PERMIT, SITE DEVELOPMENT PERMIT, AND VARIANCE to construct a two-story, detached, approximately 1,340-square-foot structure, which would be comprised of an approximately 688-square-foot guest quarters over an approximately 652-square-foot, two-car garage. The ~~6,237~~ 5,836-square-foot project site is currently developed with a 1,567-square-foot single-family residence, which would remain. The site is located at 3371 Valemont Street in the RS-1-7 zone of the Peninsula Community Plan and Local Coastal Program Land Use Plan, the Coastal Height Limit Overlay Zone, and the Airport Approach Overlay Zone. (APN: 531-211-0300). Applicant: Frederico Liberatore, Owner.

UPDATE: June 16, 2008. Minor revisions to this document, more specifically square footage numbers on the existing structure and lot size, have been made when compared to the Final Negative Declaration. The changes do not affect the environmental analysis or conclusions of this document. All revisions are shown in a ~~double-strikethrough~~ and/or double underline format.

UPDATE: May 19, ~~2006~~ 2008. Minor revisions to this document have been made when compared to the draft Negative Declaration. The changes do not affect the environmental analysis or conclusions of this document. All revisions are shown in a ~~strikethrough~~ and/or underline format.

I. PROJECT DESCRIPTION:

See attached Initial Study

II. ENVIRONMENTAL SETTING:

See attached Initial Study

III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project will not have a significant environmental effect and the preparation of an Environmental Impact Report will not be required.

IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

None required.

VI. PUBLIC REVIEW DISTRIBUTION

Draft copies or notice of the Negative Declaration were distributed to:

City of San Diego

Councilmember Faulconer, District 2

Development Services Department

Environmental Analysis Section

LDR Permit Planning Section

Development Project Management Division

City Planning and Community Investment Department

Long-Range

Library Department (81)

Peninsula Community Service Center (389)

City Attorney Office, Civil Division, MS 59

Other Organizations and Interested Individuals

Peninsula Community Planning Board (390)

Peninsula Chamber of Commerce (391)

Point Loma Nazarene College (392)

Richard J. Lareau (395)

U.S. Fish & Wildlife Service (23)
California Dept. of Fish & Game (32)
Frederico Liberatore, Applicant
Skip Shaputric, Agent

VII. RESULTS OF PUBLIC REVIEW

- (X) No comments were received during the public input period.
- () Comments were received but did not address the draft Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- () Comments addressing the findings of the draft Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Negative Declaration and any Initial Study material are available in the office of the ~~Land Development Review~~ Entitlements Division for review, or for purchase at the cost of reproduction.



Martha Blake, AICP
Senior Planner

April 18, 2008

Date of Draft Report

May 19, 2008

Date of Final Report

June 16, 2008

Date of Revised Final Report

Analyst: SHEARER - NGUYEN

City of San Diego
Development Services Department
Entitlements Division
1222 First Avenue, Mail Station 501
San Diego, CA 92101
(619) 446-6460

INITIAL STUDY
Project No. 113555
SCH No. N/A

SUBJECT: LIBERATORE RESIDENCE: NEIGHBORHOOD DEVELOPMENT USE PERMIT, SITE DEVELOPMENT PERMIT, AND VARIANCE to construct a two-story, detached, approximately 1,340-square-foot structure, which would be comprised of an approximately 688-square-foot guest quarters over an approximately 652-square-foot, two-car garage. The ~~6,227~~ 5,836-square-foot project site is currently developed with a 1,567-square-foot single-family residence, which would remain. The site is located at 3371 Valemont Street in the RS-1-7 zone of the Peninsula Community Plan and Local Coastal Program Land Use Plan, the Coastal Height Limit Overlay Zone, and the Airport Approach Overlay Zone. (APN: 531-211-0300). Applicant: Frederico Liberatore, Owner.

UPDATE: June 16, 2008. Minor revisions to this document, more specifically square footage numbers on the existing structure and lot size, have been made when compared to the Final Negative Declaration. The changes do not affect the environmental analysis or conclusions of this document. All revisions are shown in a ~~double strikethrough~~ and/or double underline format.

UPDATE: May 19, ~~2006~~ 2008. Minor revisions to this document have been made when compared to the draft Negative Declaration. The changes do not affect the environmental analysis or conclusions of this document. All revisions are shown in a ~~strikethrough~~ and/or underline format.

I. PURPOSE AND MAIN FEATURES:

The proposal is a Neighborhood ~~Development~~ Use Permit, Site Development Permit, and Variance to construct to construct a two-story, detached, approximately 1,341-square-foot structure, which would be comprised of an approximately 688-square-foot guest quarters over a 652-square-foot, two-car garage. The ~~6,227~~ 5,836-square-foot project site is currently

developed with a 1,567-square-foot single-family residence, which would remain. The 652-square-foot first floor would be comprised of a two-car garage and storage area. The 688-square-foot second floor would be comprised of the guest quarters, including a bedroom, bathroom, and sitting room, with a patio. The proposed project would extend Valemont Street as a driveway to the site at the north east side of the property to provide vehicle access to the garage and the north side of the property. The elevation plans indicate the use of stucco and Hardiplan horizontal siding, a metal chimney flue, fiberglass shingle roofing, and vinyl windows. Grading proposed would be approximately 540 cubic yards of soils, with the garage (first floor) set into the existing slope under the second floor guest quarters.. The structure would not exceed the 30-foot height limit. The project's landscaping has been reviewed by City Landscape staff and would comply with all applicable City of San Diego landscape ordinances and standards. Drainage would be directed into a gutter system or public-right-of-way designated to carry surface runoff which has been reviewed and accepted by City staff.

II. ENVIRONMENTAL SETTING:

The proposed development is located within the Peninsula Community Planning Area. The project site is located on the south side of Valemont Street, east of Bangor Street, west of Akron Street, and north of an unnamed alley. Access to the property is currently only from the unnamed alley, with a one-car garage and two-car driveway located at the southern front of the single-family residence. The lot is roughly rectangular with a gradient from the southern portion (186 feet above mean sea level (AMSL)) of the property down to the north (150 feet AMSL). An approximately 3-foot high retaining wall is located adjacent to the southeast residence. The property is zoned RS-1-7 and is situated in a neighborhood setting of residential uses. (See Figures 1 & 2).

III. ENVIRONMENTAL ANALYSIS: See attached Initial Study Checklist.

IV. DISCUSSION:

The project files and reports referred to below are available for public review on the Fifth Floor of the Development Services Department, Land Development Review Division, 1222 First Avenue, San Diego, 92101.

Biological Resources

During the Initial Study review of the proposed project, City Staff determined that the project site might contain sensitive vegetation, and that there was a potential for impacts to that vegetation should the project be implemented. Therefore, a Biological Resource Survey was required to be submitted to the City's Environmental Analysis Section of the Entitlements Division of the Development Services Department.

A survey and a biological letter report was prepared by Klein-Edwards, dated September 25, 2007, in order to identify potential biological impacts of the proposed project. The project site is not within nor is it adjacent to the Multi-Habitat Planning Area (MHPA). The site consists of disturbed lands (Tier IV) per the City's Biological Guidelines and is not considered sensitive. The entire site is currently disturbed through past development. A single-family residence, garage and associated landscape exist currently occupy the site. North of the project site is a small canyon, which supports a tall and dense mixture of landscape-associated exotic, non-native trees, shrubs, herbs, and grasses. A total of twenty plant species were identified within the project area, all but two of which are non-native species. The two native species are two shrubs: one shrub is Laurel Sumac (*Malosma laurina*) and the other is a Lemonade Berry (*Rhus integrifolia*). These shrubs would be considered isolated and would therefore not constitute a native habitat type, and no mitigation is required for impacts to these shrubs as a result of the proposed project.

Additionally the project site and surrounding areas were surveyed for wildlife species. Fourteen species of vertebrate wildlife were observed, none of which are considered to be sensitive species. Four species of hawks are known to occur in the project area during the breeding season, and specific efforts were made to observe or determine the presence of any such species, as well as to identify the potential for them to build a nest and raise young in the vicinity of the project site. No potential nest sites were identified within one-quarter mile of the property, and based on the types of trees and location of trees nearby, it is unlikely that raptors would nest in close proximity to the proposed project site.

The project would not result in direct or indirect impacts to any sensitive habitat or species. Due to the disturbed nature of the property and the lack of significant biological resources, there would be no significant impacts to biological resources and no mitigation is required.

V. RECOMMENDATION:

On the basis of this initial evaluation:

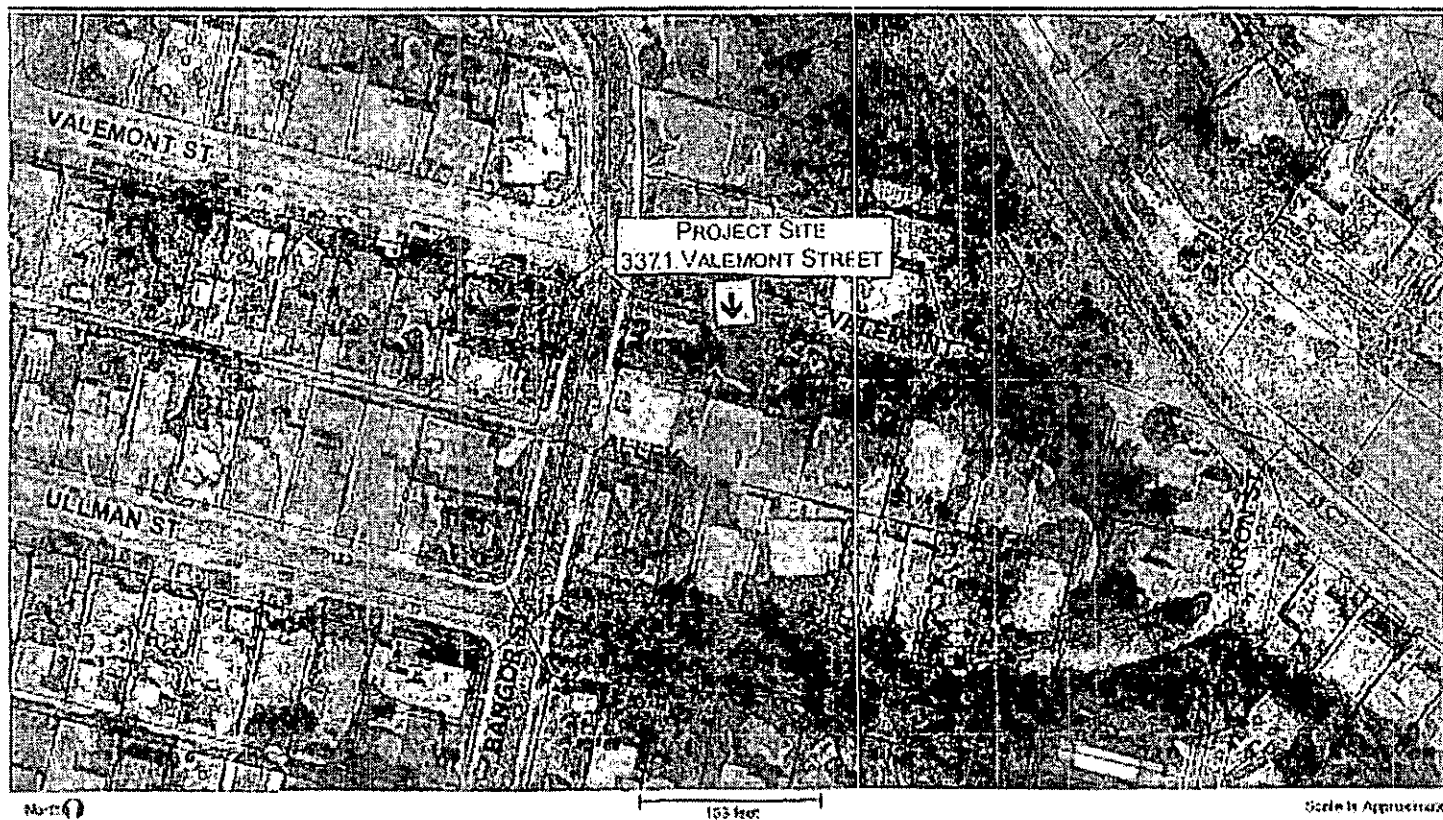
- ☒ The proposed project would not have a significant effect on the environment, and a NEGATIVE DECLARATION SHOULD BE PREPARED.
- ☐ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section IV above have been added to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT should be required.

000805

ATTACHMENT 10
Page 4

Project Analyst: SHEARER - NGUYEN

Attachments: Figure 1: Location Map
Figure 2: Site Plan
Figures 3: Elevations
Initial Study Checklist



Location Map

Liberatore Residence / Project No. 113555

City of San Diego – Development Services Department

FIGURE

No. 1

INITIAL STUDY CHECKLIST

Date: April 9, 2007

Project No.: 113555

Name of Project: LIBERATORE RESIDENCE

III. ENVIRONMENTAL ANALYSIS:

The purpose of the Initial Study is to identify the potential for significant environmental impacts which could be associated with a project pursuant to Section 15063 of the State CEQA Guidelines. In addition, the Initial Study provides the lead agency with information which forms the basis for deciding whether to prepare an Environmental Impact Report, Negative Declaration or Mitigated Negative Declaration. This Checklist provides a means to facilitate early environmental assessment. However, subsequent to this preliminary review, modifications to the project may mitigate adverse impacts. All answers of "yes" and "maybe" indicate that there is a potential for significant environmental impacts and these determinations are explained in Section IV of the Initial Study.

Yes Maybe No

I. AESTHETICS / NEIGHBORHOOD CHARACTER – Will the proposal result in:

- | | | | |
|---|---|---|---|
| A. The obstruction of any vista or scenic view from a public viewing area? | — | — | X |
| <u>No public views and/or scenic corridors designated per the plan exist on the site.</u> | | | |
| <u>Therefore, the project would not result in the obstruction of any designated vista or scenic view. All setbacks and height limits would be observed.</u> | | | |
| | | | |
| B. The creation of a negative aesthetic site or project? | — | — | X |
| <u>The proposed construction of a two-story detached structure at an existing residence would be compatible with the surrounding</u> | | | |

Yes Maybe No

single-family development and is allowed by the community plan and zoning designation. No such impacts are anticipated. See I-A and I-C.

- | | | | |
|---|---|---|---|
| C. Project bulk, scale, materials, or style which would be incompatible with surrounding development?
<u>The design of the proposed detached structure (including guest quarters and a garage) would be compatible with the architectural style of the local setting. The project would not exceed any City height, setback, size or grading standards. Building materials proposed are compatible with surrounding development.</u> | — | — | X |
| D. Substantial alteration to the existing character of the area?
<u>The proposed construction of the detached guest quarters and garage addition to an existing single-family residence would be located adjacent to similar development and would not substantially alter the existing character of the area (refer to I-C above).</u> | — | — | X |
| E. The loss of any distinctive or landmark tree(s), or a stand of mature trees?
<u>No distinctive or landmark trees would be removed.</u> | — | — | X |
| F. Substantial change in topography or ground surface relief features?
<u>No substantial changes in topography or ground relief features are proposed.</u> | — | — | X |
| G. The loss, covering or modification of any unique geologic or physical features such as a natural canyon, sandstone bluff, rock outcrop, or hillside with a slope in excess of 25 percent?
<u>The project site does not contain any unique geologic or physical features.</u> | — | — | X |

Yes	Maybe	No
-----	-------	----

H. Substantial light or glare?

—	—	X
---	---	---

The construction of the detached guest quarters and garage addition to an existing single-family residence would not be expected to cause substantial light or glare. All lighting would be required to comply with all current lighting regulations. No substantial sources of light would be generated during project construction, as construction activities would occur during daylight hours.

I. Substantial shading of other properties?

—	—	X
---	---	---

The construction of the detached garage and guest quarters would not be expected to cause substantial light or glare. Proposed lighting would comply with all current street lighting standards in accordance with the City of San Diego Street Design Manual, satisfactory to the City Engineer. No substantial sources of light would be generated during project construction, as construction activities would occur during daylight hours.

II. AGRICULTURE RESOURCES / NATURAL RESOURCES / MINERAL RESOURCES – Would the proposal result in:

A. The loss of availability of a known mineral resource (e.g., sand or gravel) that would be of value to the region and the residents of the state?

—	—	X
---	---	---

There are no such resources located on the project site and the project site.

B. The conversion of agricultural land to nonagricultural use or impairment of the agricultural productivity of agricultural land?

—	—	X
---	---	---

Agricultural land is not present on site or in the general site vicinity. Refer to II-A.

III. AIR QUALITY – Would the proposal:

A. Conflict with or obstruct implementation of the applicable air quality plan?

—	—	X
---	---	---

The proposed detached garage and guest quarters addition is compatible with underlying zoning and community plan designation and would not negatively impact air quality.

- B. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Refer to III-A.

— — X

- C. Expose sensitive receptors to substantial pollutant concentrations?

Refer to III-A.

— — X

- D. Create objectionable odors affecting a substantial number of people?

The proposed detached garage and guest quarters would not be associated with the creation of such odors. Refer to III-A.

— — X

- E. Exceed 100 pounds per day of Particulate Matter 10 (dust)?

Approximately 540 cubic yards of grading is proposed.

— — X

- F. Alter air movement in the area of the project?

The proposed detached garage and guest quarters would not have the bulk and scale required to cause such impacts.

— — X

- G. Cause a substantial alteration in moisture, or temperature, or any change in climate, either locally or regionally?

Refer to III-F.

— — X

IV. BIOLOGY – Would the proposal result in:

- A. A reduction in the number of any unique, rare, endangered, sensitive, or fully protected species of plants or animals?

No such impact would result to sensitive biological resources. See Initial Study discussion.

— — X

- B. A substantial change in the diversity of any species of animals or plants?
No such change in the diversity of any species of animals or plants would occur. See Initial Study discussion. — — **X**
- C. Introduction of invasive species of plants into the area?
No invasive plant species would be introduced as part of the proposed project. — — **X**
- D. Interference with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors?
No wildlife corridors are on or near the site. — — **X**
- E. An impact to a sensitive habitat, including, but not limited to streamside vegetation, aquatic, riparian, oak woodland, coastal sage scrub or chaparral?
Site runoff would be directed into a gutter system or public-right-of-way designated to carry surface runoff which has been reviewed and accepted by City staff. — — **X**
- F. An impact on City, State, or federally regulated wetlands (including, but not limited to, coastal salt marsh, vernal pool, lagoon, coastal, etc.) through direct removal, filling, hydrological interruption or other means?
No such resources exist on site. — — **X**
- G. Conflict with the provisions of the City's Multiple Species Conservation Program Subarea Plan or other approved local, regional or state habitat conservation plan?
The project site is designated for single-family development and is not located within or adjacent to the Multi-Habitat Planning Area (MHPA). Therefore, the proposed project would not conflict with the Multiple Species Conservation Program (MSCP). Please see IV-A. — — **X**

V. ENERGY – Would the proposal:

- A. Result in the use of excessive amounts of fuel or energy (e.g. natural gas)?

—	—	X
---	---	---

Excessive amounts of fuel would not be required during construction of the project.
The project would not result in the use of excessive amounts of fuel, energy, or power.
Standard residential consumption is expected.

- B. Result in the use of excessive amounts of power?

—	—	X
---	---	---

Refer to V-A.

VI. GEOLOGY/SOILS – Would the proposal:

- A. Expose people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?

—	—	X
---	---	---

The project site is assigned a geologic risk category 53 according to the City of San Diego Safety Seismic Study Maps, and the addition of a garage and guest quarters to an existing residence would not result in any new exposures to such risks.

- B. Result in a substantial increase in wind or water erosion of soils, either on or off the site?

—	—	X
---	---	---

No such impacts would be anticipated with the proposed residential development. The site would be landscaped in accordance with City requirements and all storm water requirements would be met. Please see VI-A.

- C. Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

—	—	X
---	---	---

Proposed project would not be located on such a geologic unit or soil type. Please see VI-A.

VII. HISTORICAL RESOURCES – Would the proposal result in:

- A. Alteration of or the destruction of a prehistoric or historic archaeological site? — — X
According to the City of San Diego reference materials, the project site is located within an area having a high sensitivity level for archaeological resources, however the site is not located within any identified sites, nor are any expected to occur within the project boundaries. The site is developed, and the proposed addition would not result in impacts to any undisturbed soils. Therefore, no impact would result from the proposed project.
- B. Adverse physical or aesthetic effects to a prehistoric or historic building, structure, object, or site? — — X
No historic buildings or structures exist onsite. The project site is an developed with a single-family residence and associated improvements.
- C. Adverse physical or aesthetic effects to an architecturally significant building, structure, or object? — — X
Refer to VII-A and -B.
- D. Any impact to existing religious or sacred uses within the potential impact area? — — X
No such uses exist on site.
- E. The disturbance of any human remains, including those interred outside of formal cemeteries? — — X
Refer to VII-A and -B.

VIII. HUMAN HEALTH / PUBLIC SAFETY / HAZARDOUS MATERIALS: Would the proposal:

- A. Create any known health hazard (excluding mental health)? — — X
The addition of a garage and guest quarters to an existing single-family residence in a single-family neighborhood would not be associated with such impacts.

- | | | | |
|--|---|---|---|
| <p>B. Expose people or the environment to a significant hazard through the routine transport, use or disposal of hazardous materials?
<u>Refer to VIII-A.</u></p> | — | — | X |
| <p>C. Create a future risk of an explosion or the release of hazardous substances (including but not limited to gas, oil, pesticides, chemicals, radiation, or explosives)?
<u>Refer to VIII-A.</u></p> | — | — | X |
| <p>D. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?
<u>The proposed project is consistent with adopted land use plans and would not interfere with emergency response and/or evacuation plans. Please see VIII-A.</u></p> | — | — | X |
| <p>E. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment?
<u>Proposed project site is not located on a site which is included on a list of hazardous materials sites.</u></p> | — | — | X |
| <p>F. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
<u>Refer to VIII-A.</u></p> | — | — | X |

IX. HYDROLOGY/WATER QUALITY – Would the proposal result in:

- | | | | |
|--|---|---|---|
| <p>A. An increase in pollutant discharges, including down stream sedimentation, to receiving waters during or following construction? Consider water quality parameters such as temperature dissolved oxygen, turbidity and other typical storm water pollutants.
<u>The project would be required to comply with all storm water quality standards during and</u></p> | — | — | X |
|--|---|---|---|

after construction and appropriate Best Management Practices (BMPs) must be utilized.

- | | | | |
|--|---|---|----------|
| <p>B. An increase in impervious surfaces and associated increased runoff?
 <u>No significant increase in impervious surfaces would occur. However, BMPs would be utilized to treat all site runoff. Please see IX-A.</u></p> | — | — | <u>X</u> |
| <p>C. Substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes?
 <u>The proposed project would not substantially increase flow rates or volumes and thus, would not adversely affect on- and off-site drainage patterns. Please see IX-A.</u></p> | — | — | <u>X</u> |
| <p>D. Discharge of identified pollutants to an already impaired water body (as listed on the Clean Water Act Section 303(b) list)?
 <u>The project site is not tributary to any body of water listed on the State Water Resources Board 303(d) impaired water body list.</u></p> | — | — | <u>X</u> |
| <p>E. A potentially significant adverse impact on ground water quality?
 <u>No such impact would occur. No areas of ponded water would be created. Please see IX-A.</u></p> | — | — | <u>X</u> |
| <p>F. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?
 <u>Refer to IX-A. The project would not make a considerable contribution to water quality degradation.</u></p> | — | — | <u>X</u> |
| <p>X. LAND USE – Would the proposal result in:</p> | | | |
| <p>A. A land use which is inconsistent with the adopted community plan land use designation for the site or conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over a project?</p> | — | — | <u>X</u> |

Yes Maybe No

The construction of the addition to the single-family residence would be built on a site which is designated for single-family development by the community plan and zone designation in an area developed with single-family residences

- B. A conflict with the goals, objectives and recommendations of the community plan in which it is located?

— — X

Please see X-A.

- C. A conflict with adopted environmental plans, including applicable habitat conservation plans adopted for the purpose of avoiding or mitigating an environmental effect for the area?

— — X

Please see X-A. The project would not conflict with City's Multiple Species Conservation Plan (MSCP) and is not located within or adjacent to the Multi-habitat Planning Area (MHPA).

- D. Physically divide an established community?

— — X

The project site is located in a developed urban community and surrounded by residential development. The project would not physically divide an established community.

- E. Land uses which are not compatible with aircraft accident potential as defined by an adopted Airport Comprehensive Land Use Plan (ACLUP)?

— — X

The project site is located within the Airport Approach Overlay Zone, and therefore the project was required to be submitted to the Federal Aviation Administration and the Airport Authority for review. The aeronautical study conducted by the FAA determined that the proposed project would not be a hazard to air navigation. Additionally, the project is the addition to an existing single-family residence and is consistent with the existing land use.

XI. NOISE – Would the proposal result in:

- A. A significant increase in the existing ambient noise levels?

— — X

The project consists of the construction of the addition of a garage and guest quarters to a single-family residence and would not result in an increase to the existing ambient noise levels.

- B. Exposure of people to noise levels which exceed the City's adopted noise ordinance?

— — X

The proposed project would not expose people to noise levels which exceed the City's adopted noise standards.

- C. Exposure of people to current or future transportation noise levels which exceed standards established in the Transportation Element of the General Plan or an adopted airport Comprehensive Land Use Plan?

— — X

Please see XI-B.

XII. PALEONTOLOGICAL RESOURCES: Would the proposal impact a unique paleontological resource or site or unique geologic feature?

— — X

Approximately 540 cubic yards would be graded on-site. No impacts to unique paleontological resources or geologic features would result from the proposed project.

XIII. POPULATION AND HOUSING – Would the proposal:

- A. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

— — X

The project is the addition of a garage and guest quarters to an existing single-family residence.

- B. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

— — X

No such displacement would occur. See XIII-A.

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ATTACHMENT 10

Yes	Maybe	No
-----	-------	----

- C. Alter the planned location, distribution, density or growth rate of the population of an area?

—	—	X
---	---	---

The proposed project would be consistent with applicable land use plans, as well as land use and zoning designations. See XIII-A.

- XIV. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- A. Fire protection?

—	—	X
---	---	---

The project would not affect existing levels of public services.

- B. Police protection?

—	—	X
---	---	---

Refer to XIV-A.

- C. Schools?

—	—	X
---	---	---

Refer to XIV-A.

- D. Parks or other recreational facilities?

—	—	X
---	---	---

Refer to XIV-A.

- E. Maintenance of public facilities, including roads?

—	—	X
---	---	---

Refer to XIV-A.

- XV. RECREATIONAL RESOURCES – Would the proposal result in:

- A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

—	—	X
---	---	---

The project would not adversely affect the availability of and/or need for new or expanded recreational resources. See XIII-A.

- B. Does the project include recreational facilities or require the construction or expansion of

recreational facilities which might have an adverse physical effect on the environment?

— — X

Proposed project would not require recreational facilities to be constructed, See XV-A above.

XVI. TRANSPORTATION/CIRCULATION – Would the proposal result in:

A. Traffic generation in excess of specific/ community plan allocation?

— — X

The additions to a single family residence are consistent with the community plan designation and would not result in significant traffic generation. See XIII-A.

B. An increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system?

— — X

Please see XVI-A.

C. An increased demand for off-site parking?

— — X

All required parking would be provided on site.

D. Effects on existing parking?

— — X

No such effects would occur. See XVI-C.

E. Substantial impact upon existing or planned transportation systems?

— — X

Project implementation would not affect existing transit service in the project vicinity.

F. Alterations to present circulation movements including effects on existing public access to beaches, parks, or other open space areas?

— — X

Project implementation would not affect existing circulation in the project vicinity.

G. Increase in traffic hazards for motor vehicles, bicyclists or pedestrians due to a proposed, non-standard design feature (e.g., poor sight distance or driveway onto an access-restricted roadway)?

— — X

Implementation of the proposed project would not increase traffic hazards. The project would comply

Yes Maybe No

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with all applicable engineering standards for driveway and street design.

- H. A conflict with adopted policies, plans or programs supporting alternative transportation models (e.g., bus turnouts, bicycle racks)?

— — X

Please see XVI-A.

XVII. UTILITIES – Would the proposal result in a need for new systems, or require substantial alterations to existing utilities, including:

- A. Natural gas?

— — X

Adequate services are available to serve site.

- B. Communications systems?

— — X

Refer to XVII-A.

- C. Water?

— — X

Refer to XVII A.

- D. Sewer?

— — X

Refer to XVII-A.

- E. Storm water drainage?

— — X

Refer to XVII-A.

- F. Solid waste disposal?

— — X

Refer to XVII-A.

XVIII. WATER CONSERVATION – Would the proposal result in:

- A. Use of excessive amounts of water?

— — X

The proposed project would not result in the use of excessive amounts of water. No such impact would occur.

- B. Landscaping which is predominantly non-drought resistant vegetation?

— — X

Landscaping and irrigation would be in compliance with the City's Land Development Code.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE:

- | | | | |
|---|---|---|---|
| <p>A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?</p> <p><u>No such impacts would be caused by the proposed project.</u></p> | — | — | X |
| | | | |
| <p>B. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts would endure well into the future.)</p> <p><u>The project would not result in an impact to long term environmental goals.</u></p> | — | — | X |
| | | | |
| <p>C. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)</p> <p><u>The proposed project would not have a considerable incremental contribution to any cumulative impacts.</u></p> | — | — | X |
| | | | |
| <p>D. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?</p> <p><u>The proposed project would not be associated with such impacts.</u></p> | — | — | X |

INITIAL STUDY CHECKLIST

REFERENCES

I. Aesthetics / Neighborhood Character

☒ City of San Diego Progress Guide and General Plan.

☒ Community Plan.

☐ Local Coastal Plan.

II. Agricultural Resources / Natural Resources / Mineral Resources

☒ City of San Diego Progress Guide and General Plan.

☒ U.S. Department of Agriculture, Soil Survey - San Diego Area, California, Part I and II, 1973.

☐ California Department of Conservation - Division of Mines and Geology, Mineral Land Classification.

☐ Division of Mines and Geology, Special Report 153 - Significant Resources Maps.

☐ Site Specific Report:

III. Air

☒ California Clean Air Act Guidelines (Indirect Source Control Programs) 1990.

☒ Regional Air Quality Strategies (RAQS) - APCD.

☐ Site Specific Report:

IV. Biology

☒ City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997

☒ City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" maps, 1996.

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- ☒ City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997.
- ☒ Community Plan - Resource Element.
- ☐ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001.
- ☐ California Department of Fish & Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California," January 2001.
- ☒ City of San Diego Land Development Code Biology Guidelines.
- ☒ Site Specific Report:
Klein-Edwards Professional Services, Liberatore/Valemont Street Guest Quarters and Related Project Improvements, September 25, 2007.
- V. Energy**
- ☐
- VI. Geology/Soils**
- ☒ City of San Diego Seismic Safety Study.
- ☐ U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975.
- ☐ Site Specific Report:
- VII. Historical Resources**
- ☒ City of San Diego Historical Resources Guidelines.
- ☒ City of San Diego Archaeology Library.
- ☐ Historical Resources Board List.
- ☐ Community Historical Survey:

— Site Specific Report:

VIII. Human Health / Public Safety / Hazardous Materials

☒ San Diego County Hazardous Materials Environmental Assessment Listing, 2004.

☒ San Diego County Hazardous Materials Management Division

☒ FAA Determination

— State Assessment and Mitigation, Unauthorized Release Listing, Public Use
Authorized 1995.

— Airport Comprehensive Land Use Plan.

— Site Specific Report:

IX. Hydrology/Water Quality

— Flood Insurance Rate Map (FIRM).

☒ Federal Emergency Management Agency (FEMA), National Flood Insurance Program -
Flood Boundary and Floodway Map.

☒ Clean Water Act Section 303(b) list, dated July 2002,
http://www.swrcb.ca.gov/tmdl/303d_lists.html.

— Site Specific Report:

X. Land Use

☒ City of San Diego Progress Guide and General Plan.

☒ Community Plan.

☒ Airport Comprehensive Land Use Plan

☒ City of San Diego Zoning Maps

— FAA Determination

XI. Noise

☒ Community Plan

☒ San Diego International Airport - Lindbergh Field CNEL Maps.

— Brown Field Airport Master Plan CNEL Maps.

— Montgomery Field CNEL Maps.

☒ San Diego Association of Governments - San Diego Regional Average Weekday Traffic Volumes.

☒ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.

— City of San Diego Progress Guide and General Plan.

— Site Specific Report:

XII. Paleontological Resources

☒ City of San Diego Paleontological Guidelines.

☒ Demere, Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego," Department of Paleontology San Diego Natural History Museum, 1996.

☒ Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," California Division of Mines and Geology Bulletin 200, Sacramento, 1975.

— Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977.

— Site Specific Report:

XIII. Population / Housing

☐ City of San Diego Progress Guide and General Plan.

☒ Community Plan.

☐ Series 8 Population Forecasts, SANDAG.

☐ Other:

XIV. Public Services

☒ City of San Diego Progress Guide and General Plan.

☒ Community Plan.

XV. Recreational Resources

☐ City of San Diego Progress Guide and General Plan.

☒ Community Plan.

☐ Department of Park and Recreation

☐ City of San Diego - San Diego Regional Bicycling Map

☐ Additional Resources:

XVI. Transportation / Circulation

☐ City of San Diego Progress Guide and General Plan.

☒ Community Plan.

☒ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.

☒ San Diego Region Weekday Traffic Volumes, SANDAG.

☐ Site Specific Report:

XVII. Utilities

XVIII. Water Conservation

— Sunset Magazine, New Western Garden Book. Rev. ed. Menlo Park, CA: Sunset Magazine.

Point Loma Community Planning Board Minutes
September 20, 2007
Point Loma Library, Voltaire Street

1. Parliamentary Items:

Meeting called to order by Chair D. Wylie at 6:30 PM.

Approval of agenda requested and Chair recommended moving Old/New business to immediately after Action Items. Cal Jones made motion to move Old/new business to Item II. Motion adopted following debate. MSC 8(MV, MS, KR, PR, GP, CJ, DD, GR.) 4(CS, HK, SK, MH) 2(JS, NEUTRAL)(GJ CAME LATE)

A. Non-agenda items:

a. Public input:

Dianna Spehn representing Senator Kehoe's office-Senate Bill 10 (Airport Authority)
 Gregg Finley-NTC Park
 Judy White-overdevelopment
 Jarvis Ross-airport
 Lance Murphy-committees/community members
 Kathryn Rhodes-Density Bonus Ordinance
 Mignon Scherer-Water shortage/global warming
 S. Khalil-update on ad hoc community re bulk scale

b. Other

Mathew DeVol-3771 Valemont project

D. Davis for point of clarification stated, in question format, that the airport committee was a standing committee. No objections from the board or community

B. Agenda/Minutes approval:

May 17, 2007 minutes approved as read.
 July 19 2007 minutes approved as read
 August 16 2007 minutes approved as corrected

Board Attendance

D. Wylie, H. Kinnaird, D. Davis, G. Halbert, M. Hoppe, C. Jones, S. Khalil, G. Page, P. Rank, K. Rhodes, M. Scherer, C. Shinn, J. Shumaker, G. Robinson, G. Page and M. Valentine

Community attendance

R. Wasserm, S. Nolan, J. Varley, D. Reichardt, C. Jacobs, M. Stalheim, M. deVol, E. Goddard, C. Schisler, MJ Hallmark, D. Cormier, C. Roland, C. Castlen, F. Liberatore, J. Brown, L. Day, H. Steiner, J. White, J. Ross, T. Sanchez, G. Finley, S. Shaputnic, R. Guilding, M. Santana, M. Terree, M. Swall, D. Kaup, J. O'Connor, R. Myers, W. Ladd, M. Quellette, S. Ruiz, T. Altree, J. Adriany, C. Conger, C. Zolezzi, L. Hope

II. Old/New Business

G. Page moved to rescind committee chairs as voted on in June of 07. The motion was adopted after debate. MSC 8(MV, MS, GR, KR, PR, GP, CJ, GH)6(JS, CS, HK, SK, MH, DD)

G. Page moved to nominate Lance Murphy to Chair Airport Authority Committee. The motion denied after debate. MSC 5(MV, MS, KR, PR, GP)7(JS, CS, HK, SK, MH, GH, DD)2

(GR/ undecided)(CJ/legal clarification concerns)

G. Halbert moved to appoint the chairs to the PCPB subcommittees that were holding the positions prior to this evening's vote to rescind the chairs with the exception of the By-Laws and Airport subcommittees. The motion was adopted after debate.

MSC11(JS,CS,MS,GR,KR,PR,GP,HK,SK,GH,DD)2(MV,MH)1(CJ/gentleman)

G. Page moved to have Lance Murphy be the primary Rep and Cynthia Conger the Alternate to ANAC and ATAG Committees. The motion was adopted after debate.

MSC7(MV,MS,GR,KR,PR,GP,CJ) 5(CS,HK,SK,MH,DD)2(JS,GH/like them both)

H. Kinnaird moved to appoint G. Robinson as Chair of the By-Laws committee. The motion was adopted. MSC(MV,JS,CS,MS,KR,PR,GP,HK,,SK,CL,MH,GH,DD)0-1(GR/neutral)

G. Page moved to write a formal letter from the Board to censure Tony Kempton for providing misleading and incorrect information during our vote on the Airport representatives that may have unduly influenced the outcome and to request that the Planning Department provide us a new representative. The motion was denied after debate. MSC6(MV,MS,KR,PR,GP,CJ)7(JS,CS,HK,SK,MH,GH,DD)

C. Shinn moved to extend the meeting. The motion was adopted after debate. MSC 7(GH,SK,DD,MH,CS,HK,JS) 6(KR,GP,PR,MS,MV,CJ)

II. Government Reports Public /Communication

A. Matt Awbrey

M. Awbrey reported that on October 8th across from the Midway post office, there will be a rally in opposition of designating that location for a winter homeless shelter.

M. Awbrey reported that at the October 16th City Council meeting the winter homeless shelter will be on the agenda.

B. Libby Day

Libby Day gave an update on NTC.

III. Action Items

a. 3771 Valemont St: G.Page moved to deny the project on the basis that the requested variance had no benefit to the public. The motion passed after debate. MSC 8(GH, GP, MS., PR, DD, MH, MV, KR,) 1(CS) 3(SK/need more verification) HK/need more info) (CJ/legal concerns) (JS-recused/conflict)

*Due to time restraints the other committee reports and new/old business was cancelled.

The meeting was adjourned at 10:00 PM.

Respectfully submitted,
Helen Kinnaird, Secretary

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ATTACHMENT 12

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: August 21, 2008 REPORT NO. PC-08-106

ATTENTION: Planning Commission, Agenda of September 4, 2008

SUBJECT: LIBERATORE RESIDENCE - PROJECT NO. 113555
PROCESS 4

OWNER/
APPLICANT: Federico Liberatore
Skip Shaputnic/ Architect

SUMMARY

Issue(s): Should the Planning Commission approve the construction of a new Guest-Quarters over a partially underground garage on a 5,836 square-foot lot with an existing single family residence at 3371 Valmont Street within the Peninsula Community Planning Area?

Staff Recommendation:

1. CERTIFY Negative Declaration No. 113555; and
2. APPROVE Neighborhood Use Permit No. 381871; and
3. APPROVE Site Development Permit No. 470555; and
4. APPROVE Variance No. 470554.

Community Planning Group Recommendation: The Peninsula Community Planning Group voted 8-1-3 to recommend denial of the proposed project on September 20, 2007. This issue is discussed further within this report (Attachment 10).

Environmental Review: Negative Declaration No. 113555 has been prepared for this project pursuant to the California Environmental Quality Act (CEQA). The City of San Diego has conducted an Initial Study and determined that the proposed project will not have a significant environmental effect and the preparation of an Environmental Impact Report is not required.

Fiscal Impact Statement: The cost of processing this application is paid for by the



applicant.

Code Enforcement Impact: None with this action. There are no open cases within Neighborhood Code Compliance for this property.

Housing Impact Statement: The project proposal to construct a new two-story, detached structure consisting of a guest quarters over a two-car garage on a 0.13-acre site, would result in no net gain or loss of dwelling units to the Peninsula Community plan area.

BACKGROUND

The proposed project is located at 3371 Valemont Street (Attachment 1), in the RS-1-7 Zone (single family residence), Coastal Height Limit Overlay Zone, Airport Approach Overlay Zone, within the Roseville Heights neighborhood of the Peninsula Community Plan and Local Coastal Program Land Use Plan (LCP) (Attachment 2). The site is designated within the Peninsula Community Plan for single-family residential land use at a density of 6-9 dwelling units per acre (Attachment 3).

The property is located at Valemont Street, between Akron Street and Bangor Street and has two legal frontages (Valemont/Ullman alley at the top of the property and partially unimproved Valemont Street below). The site is surrounded by existing single-family homes, many of which have alley access (Attachment 2).

The property slopes downhill from the alley to the rear lot line along the Valemont Street frontage to the north, creating a significant grade difference of approximately 36 feet.

The project is requesting a Neighborhood Use Permit (NUP), a Site Development Permit (SDP) and a Variance in accordance with the City of San Diego Land Development Code.

- The Neighborhood Use Permit is required for the construction of a two-story, detached, guest-quarters and a garage.
- The request for a Variance is to permit a street access which does not conform with the applicable development regulations of the Land Development Code.
- The Site Development Permit (Process Four) is required for construction of a private driveway in the public right-of-way where the applicant is not the record owner of the property where the driveway is proposed (per SDMC 126.0502(d)(7)).

DISCUSSION

Project Description:

This project proposes to construct a new 1,340 square-foot, two story structure consisting of a 688- square-foot Guest-Quarters above a 652-square-foot, two-car garage on a 5,836 square-foot

lot. The site is currently developed with a 1,567-square-foot one-story single dwelling unit that was constructed in 1954, and would remain.

Access to the property is currently only from the Valemont/Ullman alley, with a one-car garage and a 15-foot long driveway located at the southern front of the single-family residence. The lot is roughly rectangular with a steep gradient from the southern portion [186 feet above mean sea level (AMSL)] of the property down to the north [150 feet AMSL].

The proposed project would extend the Valemont Street public right-of-way as a private driveway to access the site at the north end of the property. This driveway would provide vehicle access to the proposed garage and the north side of the property (Attachment 5).

Project-Related Issues:

Site Development Permit - A Site Development Permit is required in accordance with a Process 4 decision to allow for an encroachment into the public right-of-way where the applicant is not the record owner of the property (crossing the center line on the opposite side of the public right-of-way). The requested encroachment would permit the private driveway within Valemont Street in accordance with SDMC 126.0502(d)(7).

The proposed driveway extension would be entirely within the dedicated public right-of-way and signs would be posted at the bottom of Valemont Street indicating single lane traffic, as it currently exists. The driveway extension would terminate in a dead end, as the existing driveway currently does, and there would be a new three (3) point turnaround provided for emergency, public use and convenience.

Variance - The improvements would require a variance from the underlying RS 1-7 zone requirements to allow for street access; the regulations prohibit access from a street when access can be taken from the alley. The proposed guest quarters creates the need to access required parking to be taken from the Street through a private driveway opening and would therefore require a Variance. The existing residence maintains access for required parking from the alley.

The steep gradient of the project site and the location of the existing dwelling unit prohibit extending the existing driveway to the proposed guest quarters. The only way to provide vehicular access to the guest quarters and add additional parking spaces as required per the Land Development Code is to allow for a driveway extension through Valemont Street. The lot size is adequate to support the proposed guest quarters, therefore, strict application of the ordinance would deny the applicant reasonable use of the subject property to construct a guest quarters. The location of the new structure will allow the applicant reasonable use of their property and will improve previously conforming conditions by increasing the parking on site.

City staff believes the proposed variance should be considered reasonable as the subject site has special circumstances and conditions which apply to the land which do not generally apply on other land or premises in the project vicinity. The variance can be considered necessary to provide a reasonable development on the property in that the site is zoned for single-family development and

the project proposes the construction of a guest quarters as allowed by the SDMC. The variance would provide a better use of the site than would be rendered with strict compliance of the zone which would likely deny the applicant of developing a guest quarters on the site (Attachment 9).

Community Plan Analysis: The project site is designated for single-family residential development in the Peninsula Community Plan at a density of 6-9 dwelling units per acre. Surrounding land uses are single-family residential. A main objective of the residential element is to, "Conserve character of existing stable single-family neighborhoods throughout Peninsula including the very low-density character of certain neighborhoods." This is particularly important because this proposal is within the Protected Single-Family Neighborhoods map in the community plan. As there is an existing single-family dwelling unit on-site, the request for an additional guest quarters would not impact the density. The proposal is also within a transitional area of the community identified as having, "large lot area-potential for lot splits."

The proposal would also implement the following objectives in the community plan, "Encourage sensitive placement of structures in steeply sloped residential areas to minimize removal of natural vegetation, grading and landform alteration" and "Preserve existing landscaping and vegetation within established residential neighborhoods", this proposal being within the Roseville neighborhood, one of the older community neighborhoods. The applicant will preserve all native trees during the excavation required for access through the canyon.

The proposal for a new two-story detached structure including guest quarters over a two-car garage on the subject site would conform to the thirty foot height limit established by Proposition D, as well as be consistent with the current mix of architectural styles in the neighborhood.

Therefore, due to the above considerations, this proposal achieves consistency with the adopted land use plan and local coastal program.

Environmental Analysis:

The Environmental Analysis Section conducted an Initial Study to determine if the proposed project would result in environmental impacts. Potential impacts to biological resources were initially identified. The project site is not located within or adjacent to the City's Multi-Habitat Planning Area (MHPA). The project site is located within an existing urbanized area. However, it appeared that the project site had potential sensitive vegetation on and adjacent to the site, therefore, a biological letter report prepared by Klein-Edwards Professional Services (dated September 12, 2007) was required. That report concluded that the project would not result in any impacts to either sensitive flora and/or fauna, and as such, no mitigation measures were required and a Negative Declaration No. 113555 had been prepared for this project, in accordance with State CEQA Guidelines.

Drainage: Storm Water run-off has been a long-standing problem for this part of the neighborhood. Storm Water run-off will be significantly improved in conjunction with this Project. Storm discharge from a drain day-lights in the right-of-way located just west of the

subject site, and will be connected to a new underground storm drain system. This system will collect on and off site water that will be directed into a storm drain located under the proposed driveway. It will then be discharged into the existing drainage ditch located on the south side of Valemont Street, thus reducing the flooding potential that exists to downhill properties. To minimize the amount of surface flow going downhill on the pavement, the proposed driveway will slope 2% to the existing drainage ditch.

A Water Quality Technical Report was prepared which outlines the best management practices for construction and drainage on the site to ensure drainage and run-off is appropriately dealt with.

Community Group: The Peninsula Community Planning Group voted 8-1-3 to recommend denial of the proposed project on September 20, 2007, on the basis that the requested variance had no benefit to the public [Attachment 10]. Staff notes that "public benefit" is not a required finding to approve a Variance.

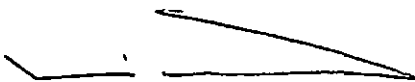
Conclusion:

Staff has reviewed the proposed project and determined the project is consistent with the purpose and intent of all applicable sections of the San Diego Municipal Code regarding the RS-1-7 Zone, as allowed through the Site Development Permit and Variance Process. Staff has concluded that the proposed project will not adversely affect the General Plan or the Peninsula Community Plan. Staff has determined the required findings can be supported as substantiated in the draft resolution and recommends approval of the proposed project.


ALTERNATIVES

1. **Approve** Neighborhood Use Permit No. 381871, Site Development Permit No. 470555 and Variance No. 470554, **with modifications.**
2. **Deny** Neighborhood Use Permit No. 381871, Site Development Permit No. 470555 and Variance No. 470554, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



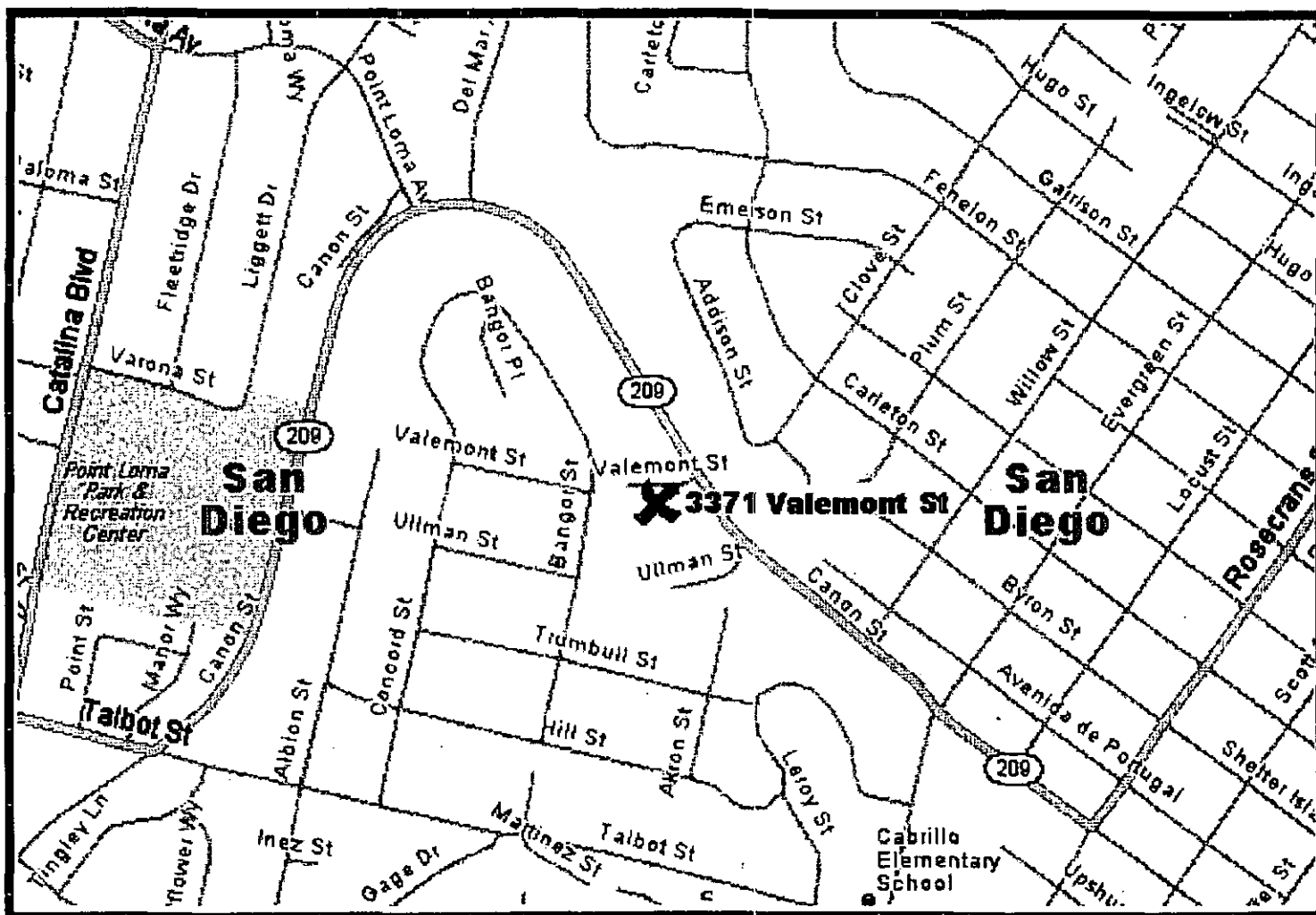
Mike Westlake
Program Manager
Development Services Department



Laila Iskandar
Program Manager
Development Services Department

Attachments:

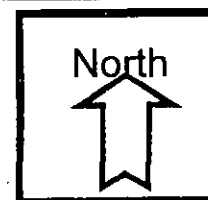
1. Project Location Map
2. Aerial Photograph
3. Land Use Map
4. Project Data Sheet
5. Project Development Plans
6. Site Photos
7. Existing Driveway within Valemont Street by others
8. Draft Permit with Conditions
9. Draft Resolution with Findings
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement



Project Location Map

LIBERATORE RESIDENCE - PROJECT NO. 113555

3371 Valemont Street.



Development Services Department
Project Management

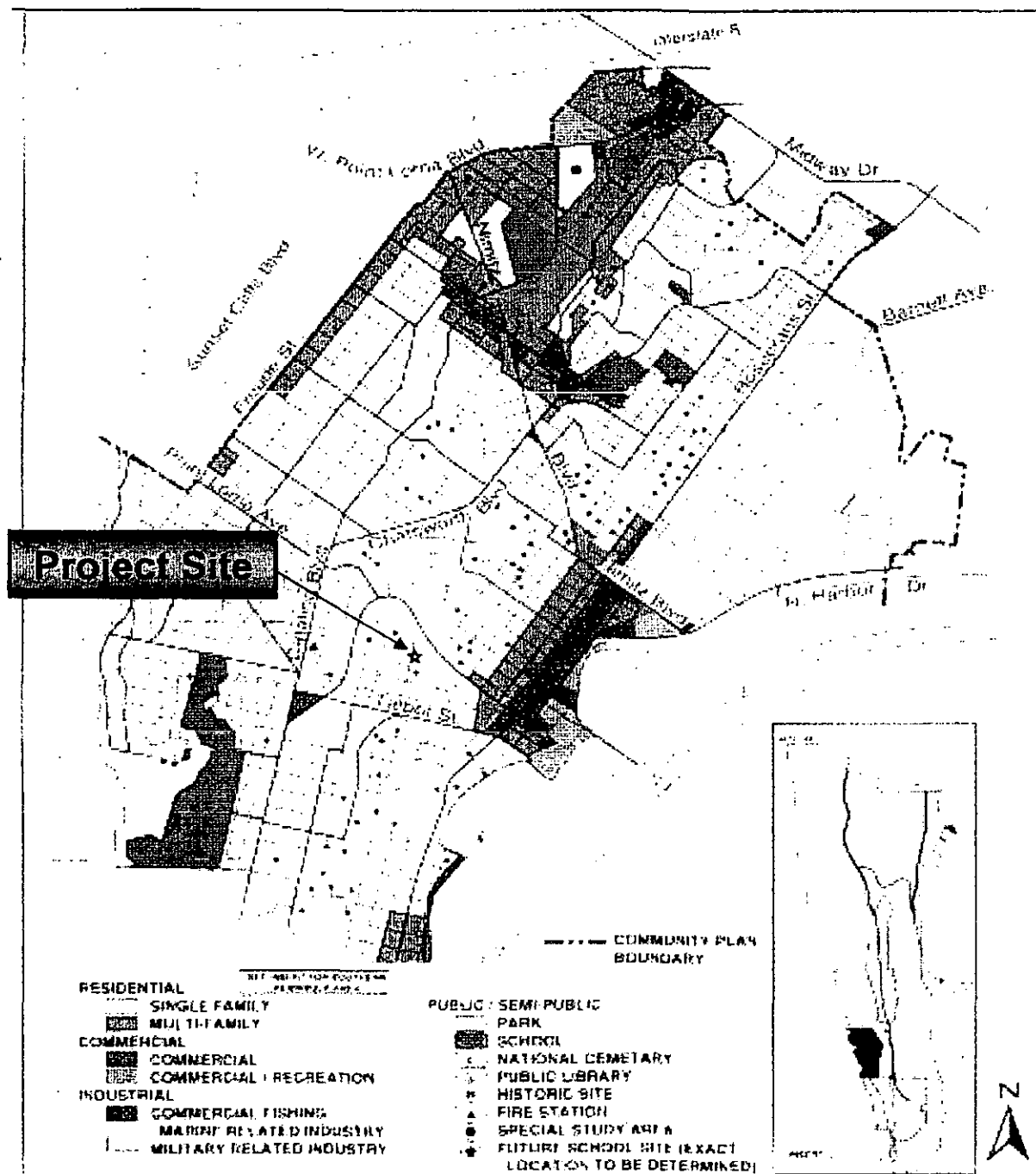
Location





Peninsula: Liberatore Residence - Project No. 113555

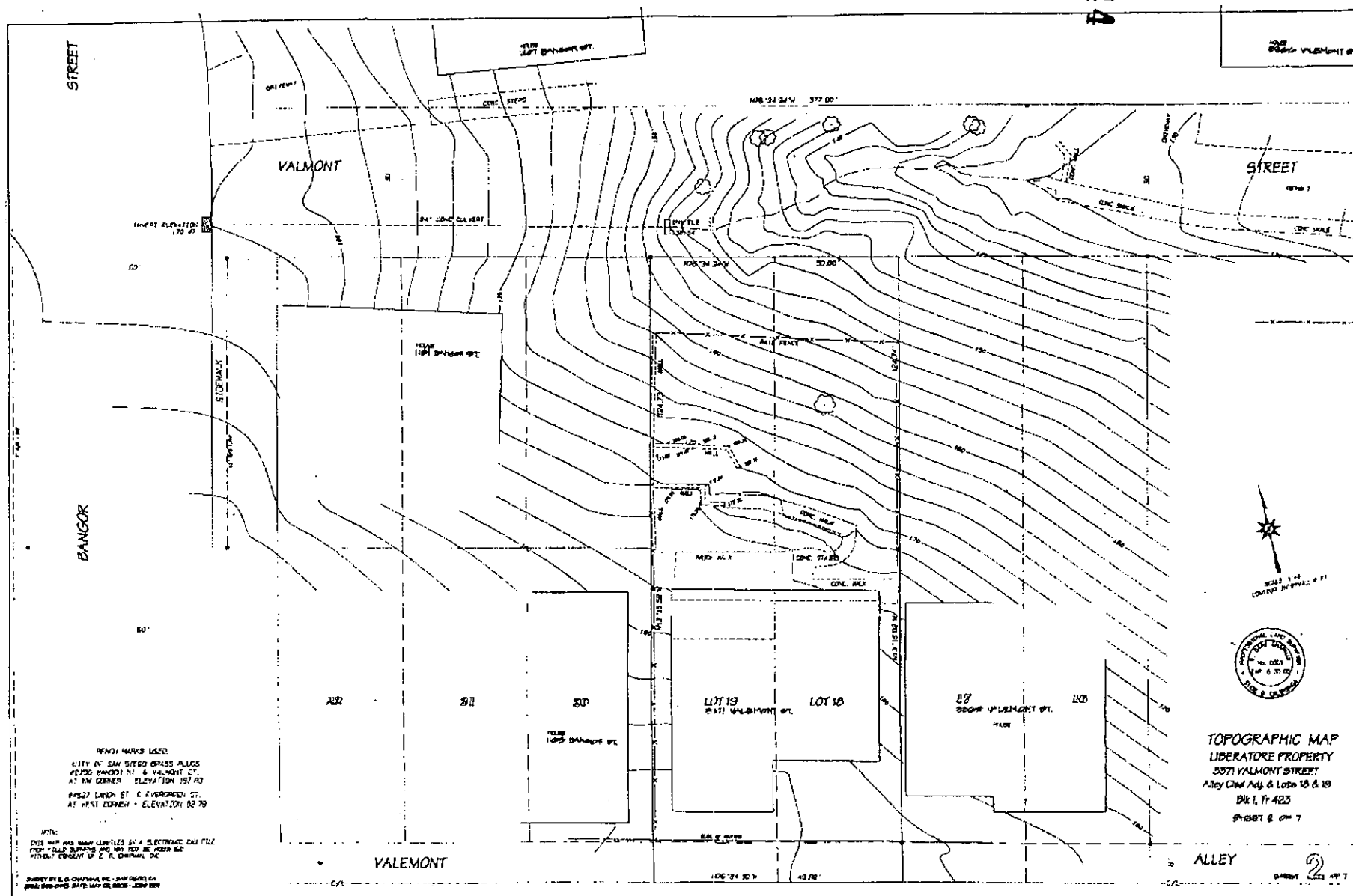
CITY OF SAN DIEGO · DEVELOPMENT SERVICES



PROJECT DATA SHEET		
PROJECT NAME:	Liberatore Residence	
PROJECT DESCRIPTION:	688 sf guest quarters and 652 sf garage on a 5,836 sf site currently developed with a 1,567 sf single-family residence.	
COMMUNITY PLAN AREA:	Peninsula	
DISCRETIONARY ACTIONS:	SDP (private driveway in full ROW), NUP (guest quarters), Variance (street access)	
COMMUNITY PLAN LAND USE DESIGNATION:	Single-Family Residential (9 du/ac)	
<p align="center"><u>CURRENT ZONING INFORMATION:</u></p> <p>ZONE: RS-1-7</p> <p>HEIGHT LIMIT: 30' max - proposed = 30'</p> <p>LOT SIZE: 5,000 sf min - existing = 5,836 sf</p> <p>FLOOR AREA RATIO: 0.59 max - proposed = 0.50 (max GFA for GQ = 689 sf (20% of max FAR - Proposed = 688 sf)</p> <p>FRONT SETBACK: 6' min - proposed = 6'</p> <p>SIDE SETBACK: 4' min - proposed = Proposed 4' (east side) and 13.5 feet (west side) Existing residence observes 4' on both sides</p> <p>STREETSIDE SETBACK: N/A</p> <p>REAR SETBACK: 5' min - Existing residence observes 5'</p> <p>PARKING: 3 parking spaces min - proposed = 2 new spaces + one existing enclosed space (3 total)</p>		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Single-Family; RS-1-4	Single-Family
SOUTH:	Single-Family; RS-1-7	Single-Family
EAST:	Single-Family; RS-1-7	Single-Family
WEST:	Single-Family; RS-1-7	Single-Family
DEVIATIONS OR VARIANCES REQUESTED:	Variance for 1) Driveway off Valemont (unimproved) where a driveway is not allowed 2) 6-foot retaining wall in front setback where maximum 3 feet is allowed.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	The Peninsula Community Planning Group voted 8-1-3 to recommend denial of the proposed project on September 20, 2007.	

000844

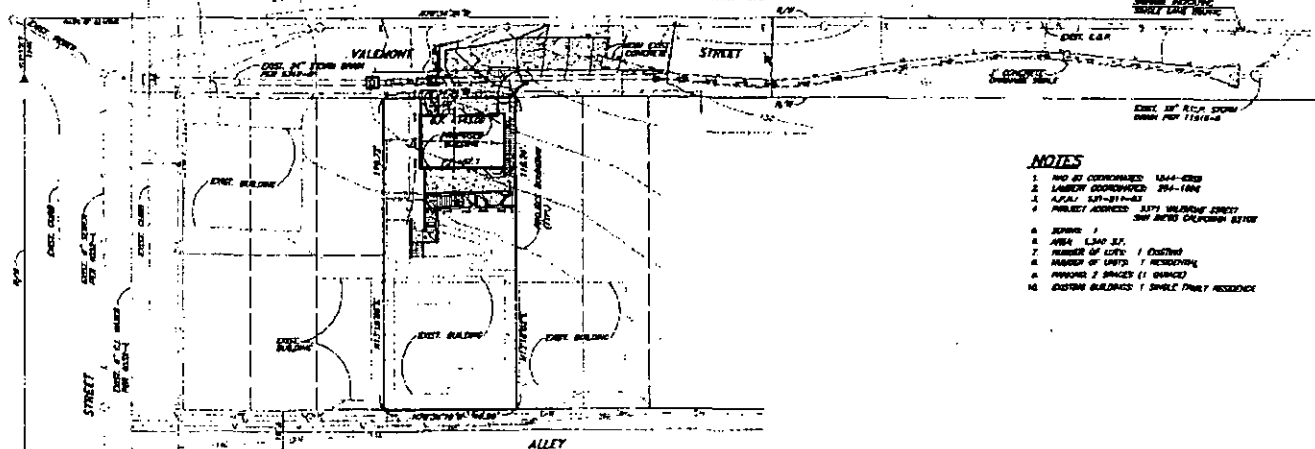
ATTACHMENT 12



TOPOGRAPHIC MAP
LIBERATORE PROPERTY
5571 VALMONT STREET
Alley Chm. Adj. & Lots 18 & 19
Blk 1, Tr 423
SHEET 8 OF 7

ALLEY 2

LEGEND
SYMBOL



1. TWO 30 CONDORCHES 1644-1939
2. LAMBERT CONDORCHES 294-1686
3. ALFAL 307-31-6-3
4. PROJECT ADDRESS 3075 WALTON STREET
505 NEW CALIFORNIA BLDG
6. ZIPCODE 1
7. AREA 1340 S.F.
8. NUMBER OF LOTS 1 DISTRICT
9. NUMBER OF UNITS 1 RESIDENTIAL
10. APPROX 2 SPACES (1 SPACE)
11. EXISTING BUILDINGS 1 SINGLE FAMILY RESIDENCE

- [illegible]

ALLEY CLERK ABANDON AND LOTS 18 AND 28 OF BLOCK 1 PACT 433
IN THE CITY OF SAN ANTONIO, COUNTY OF SAN ANTONIO, STATE OF TEXAS

NOSE HEIGHT OF TOWER TO BE EXPOSED	ANDY CLOAK RD., CORN OF ROAD 1001
HEIGHT OF CURB	4.00 G.Y. AND MAX. DEPTH OF 10 FEET CURB
HEIGHT OF WALL	30 G.Y.
MAX. HEIGHT OF WALL EXPOSED	3
MAX. HEIGHT OF CURB EXPOSED	0
HEIGHT OF EXPOSED WALL	400 G.Y.
EXPOSED WALLS	1,000 S.F.

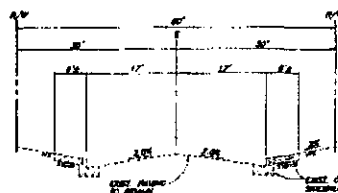
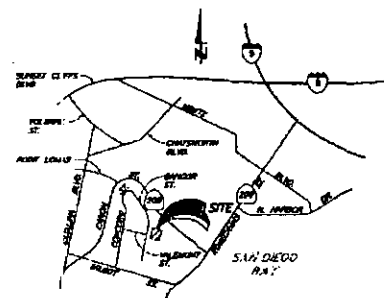
1514-1-4 4712-4 4807-4

62 COMPANY INC.
6214 MARKET STREET, NEW YORK, N.Y.

CITY OF SAN DIEGO OFFICE PLEASE
3200 BRADLEY STREET AND WILSON STREET
AT MONROVIA CORNER - EL PASO 42-63
1057 CHURCH STREET AND FARMER'S MARKET
AT CITY CORNER - EL PASO 52-78

1. BASE OF EVIDENCE IS FROM TWO (2) SOURCE: D.P.S. INVESTIGATION OF THE SOUTHEASTERN CORNER OF LOT 2, MAP NO. 5710 AND THE INVESTIGATION OF THE CORNERS OF WILSON STREET AND THE INTERSECTION OF THE CORNERS OF WILSON STREET AND THE INTERSECTION OF THE CORNERS OF WILSON STREET, L.C. 100-100-100-100

ROBERTO LEBLANC
1171 WILSON STREET
SAN DIEGO, CALIFORNIA 92104

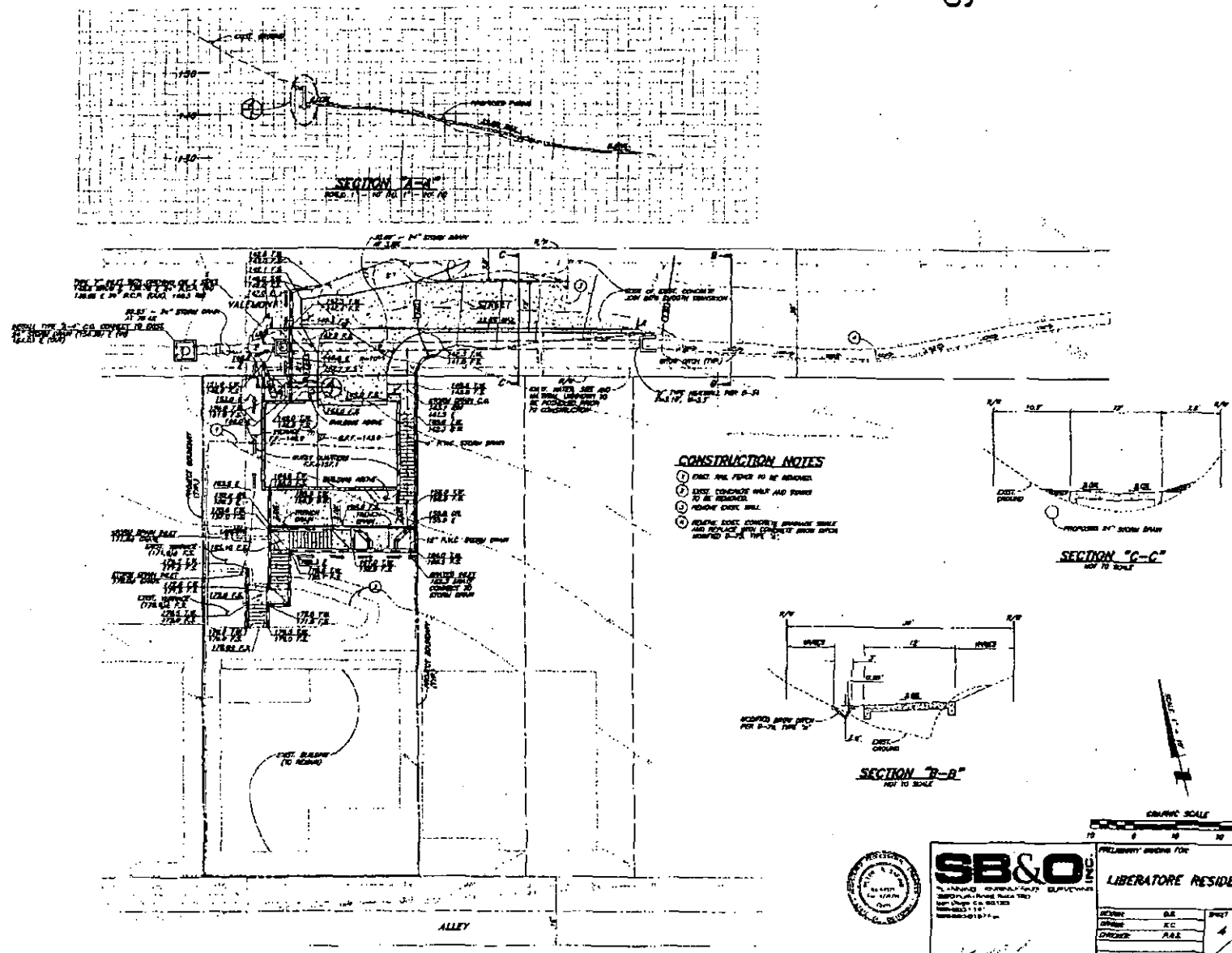


EXIST. TYPICAL SECTION ~ ALLEY

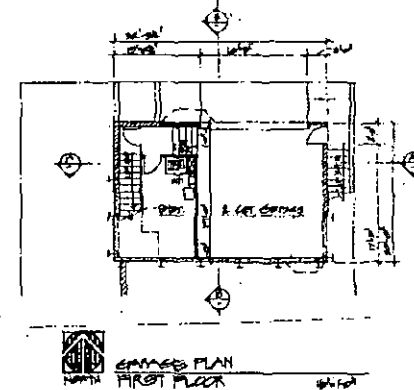
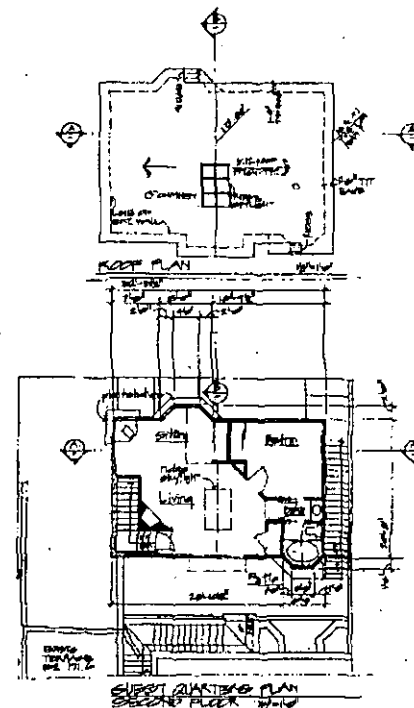
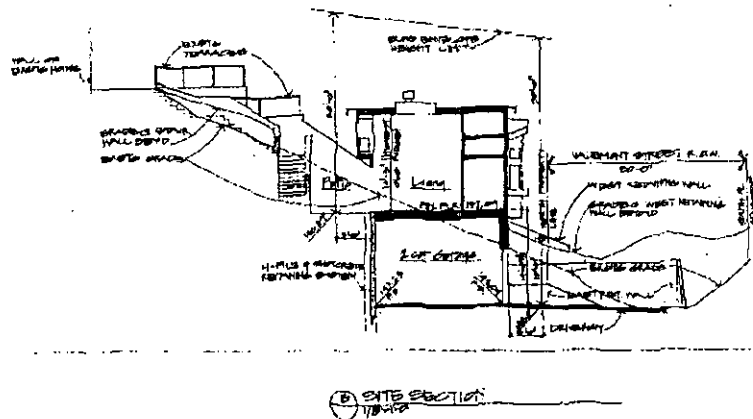
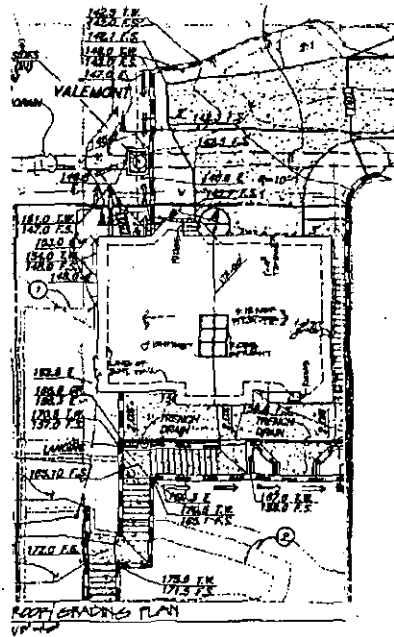
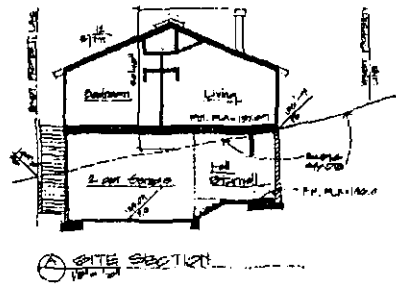
PRELIMINARY CRIMINAL RECORD FOR		
LIBERTAD RESIDENCE		
SECTION	CL	SHEET 3
PRISON	K.E.	
CHECKED	P.L.E.	

000846

ATTACHMENT 12



000847



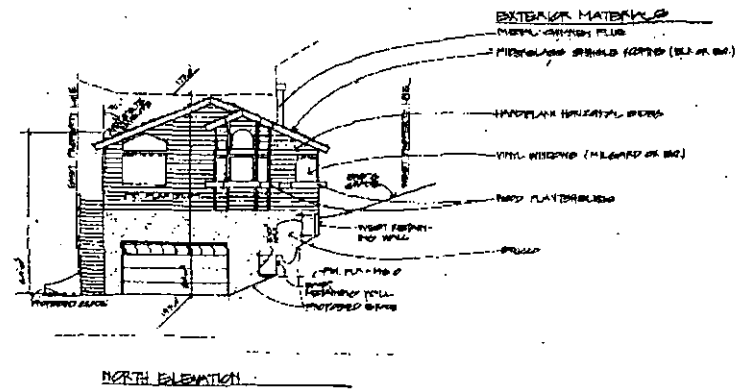
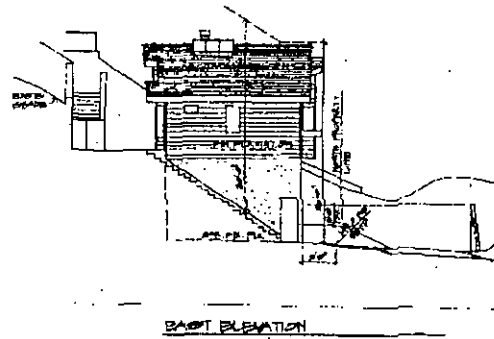
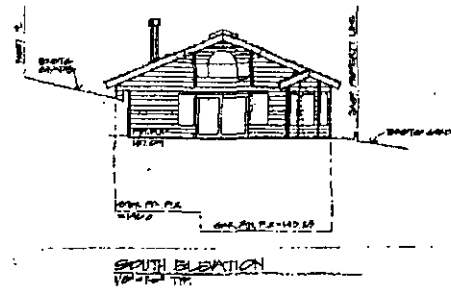
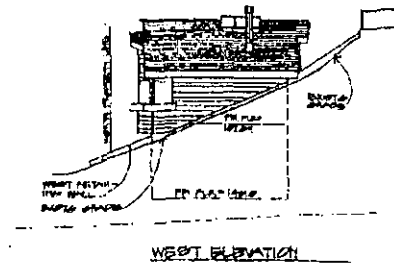
WALL ~~BOARD~~
~~WOOD~~ BOARD
TILE ~~STONE~~
TILE ~~STONE~~ MASONRY

NEW AUGUST QUARTERS FOR:
FRED LEBERATORE
3377 UNIVERSITY ST. NEW BRUNSWICK

Skip Schaputnick Architect
2311 NE 10th St. # 100, Miami, FL 33132
(305) 371-1000

PROJECT NO.	DATE
BY	BY
DATE	DATE

5



FRED LEBERMAN

Shahpuria
Chaudhary

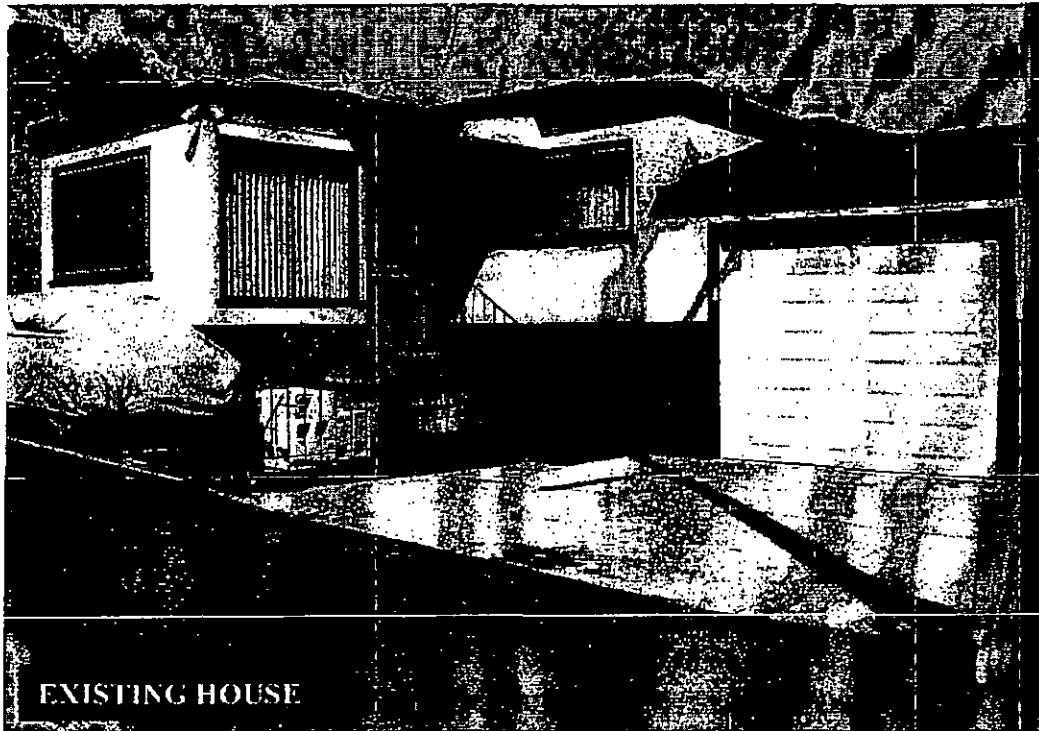
EXTERIOR ELEVATIONS

DATE
CITY
STATE

6

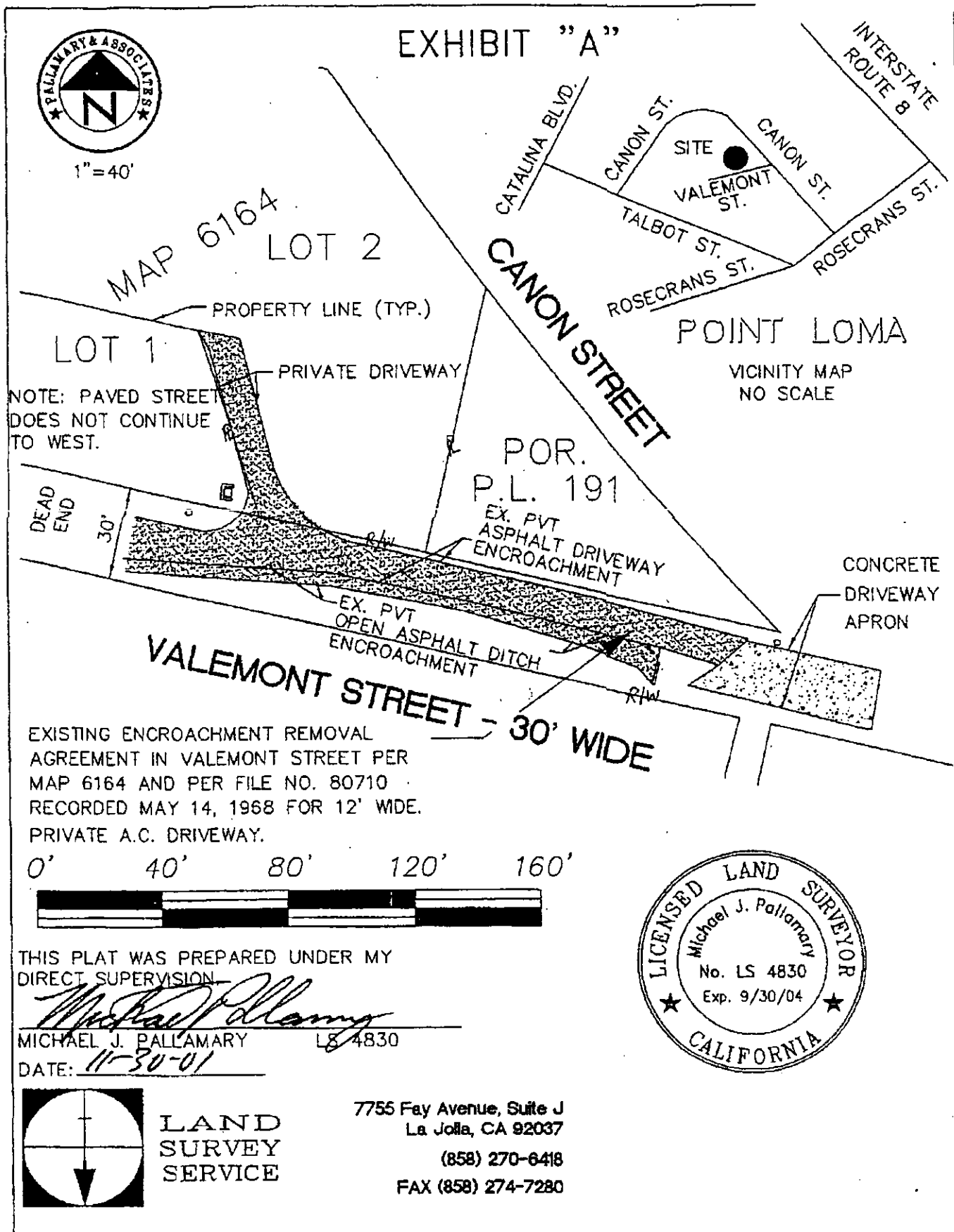
000850

ATTACHMENT 12



000851

ATTACHMENT 12



RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-6968

NEIGHBORHOOD USE PERMIT NO. 381871
SITE DEVELOPMENT PERMIT NO. 470555
VARIANCE NO. 470554
LIBERATORE RESIDENCE – PROJECT NO. 113555
PLANNING COMMISSION
DRAFT

This Neighborhood Use Permit No. 381871, Site Development Permit No. 470555, and Variance No. 470554 are granted by the Planning Commission of the City of San Diego to FEDERICO LIBERATORE, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0205, 126.0504, and 126.0805. The 0.13-acre project site is located at 3371 Valemont Street, in the RS-1-7 Zone, Coastal Height Limit Overlay Zone, and the Airport Approach Overlay Zone, within the Roseville Heights neighborhood of the Peninsula Community Plan and Local Coastal Program Land Use Plan. The project site is legally described as Lots 18 and 19, Block 1 of Roseville Heights, Map No. 423.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a new Guest-Quarters over a partial underground garage on a 5,836 square-foot lot with an existing single family residence, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated September 4, 2008, on file in the Development Services Department.

The project shall include:

- a. Construction of a new 1,340 square-foot, two story structure consisting of:
 - 1) 688- square-foot Guest-Quarters.
 - 2) Partial subterranean 652-square-foot, two-car garage.
- b. Extension of the partially improved Valemont Street public right-of-way as a driveway to the site.

- c. Variance to the RS-1-7 zoning regulations as follows:
 - Allow for street access in addition to the existing alley access.
- d. Off-street parking facilities;
- e. Landscaping (planting, irrigation and landscape related improvements);
- f. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies

including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

8. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.

ENGINEERING REQUIREMENTS:

11. Prior to the issuance of any construction permits, the applicant shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
12. Prior to the issuance of any construction permits, the applicant shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.
13. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of drainage pipes, a concrete driveway, a drainage swale and other drainage appurtenances, all private, per the approved exhibit, in the Valemont Street right-of-way, all satisfactory to the City Engineer.
14. Prior to the issuance of any building permits, the applicant shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
15. Prior to the issuance of any building permits, the applicant shall obtain an Encroachment Maintenance and Removal Agreement, for a private driveway and various private drainage structures and appurtenances in the Valemont Street right-of-way, all satisfactory to the City Engineer.
16. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of a 3-point turnaround and signage on the proposed driveway, satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

17. No fewer than three (3) off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.
18. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
19. The guest quarters shall not be rented, leased, or sold as a separate dwelling unit.
20. Prior to issuance of the Building Permit, the property owner shall submit a signed agreement with the City that specifies that the guest quarters shall not be used as, or converted to, a companion unit or any other dwelling unit. The agreement shall include a stipulation that

neither the primary dwelling unit nor the guest quarters shall be sold or conveyed separately. The City will provide the agreement to the County Recorder for recordation.

21. The guest quarters shall be used solely by the occupants of the primary dwelling unit, their guests, or their employees.
22. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code §66020.
- This development may be subject to impact fees at the time of construction permit issuance

APPROVED by the Planning Commission of the City of San Diego on September 4, 2008, by Resolution No. XXXX.

Permit Type/PTS Approval No.: NUP 492118, SDP 470555, VAR 470554
Date of Approval: September 4, 2008

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

Laila Iskandar
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

**The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.**

[Federico Liberatore]
Owner/Permittee

By _____

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

PLANNING COMMISSION
RESOLUTION NO. ~~XXXX~~
NEIGHBORHOOD USE PERMIT NO. 381871
SITE DEVELOPMENT PERMIT NO. 470555
VARIANCE NO. 470554
LIBERATORE RESIDENCE – PROJECT NO. 113555

WHEREAS, FEDERICO LIBERATORE, Owner/Permittee, filed an application with the City of San Diego for a permit to construct a new Guest-Quarters over a partial underground garage on a 5,836 square-foot lot with an existing single family residence (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 381871, 470555 and 470554), on portions of a 0.13-acre site;

WHEREAS, the project site is located at 3371 Valemont Street, in the RS-1-7 Zone, Coastal Height Limit Overlay Zone, and Airport Approach Overlay Zone, within the Roseville Heights neighborhood of the Peninsula Community Plan and Local Coastal Program Land Use Plan;

WHEREAS, the project site is legally described as Lots 18 and 19, Block 1 of Roseville Heights, Map No. 423;

WHEREAS, on September 4, 2008, the Planning Commission of the City of San Diego considered Neighborhood Use Permit No. 381871, Site Development Permit No. 470555, and Variance No. 470554 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated September 4, 2008.

FINDINGS:

Neighborhood Use Permit - Section §126.0205

1. The proposed development will not adversely affect the applicable land use plan.

The proposed development is located at 3371 Valemont Street in the RS-1-7 Zone within the Peninsula Community Plan Area. The project site has legal frontage and abutters rights both on an existing Valemont/Ullman Alley (at the top of the property) and partially improved Valemont Street (below). The proposed construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage will be developed on 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage which will remain, conforms with the certified Peninsula Community Plan and Local Coastal Program Land Use Plan which designates this site for single family residence uses. The project also proposes a partial improvement of Valemont Street to extend Valemont Street as a driveway to the site at the north east side of the property. This extension would provide vehicle access to the proposed garage and guest quarters. As such, the proposed development will result in the provision of

additional off-street parking for the existing dwelling (two spaces where one is now provided) thus bringing it current with parking regulations, and it will provide the required parking for the guest quarter's parking (one space per bedroom). The guest quarters have been designed to blend in with the surrounding area which consists of one, and two-story homes.

The project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the RS-1-7 Zone, the Coastal Height Limit Overlay Zone, the adopted Peninsula Community Plan and Local Coastal Program Land Use Plan, and the City of San Diego Progress Guide and General Plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The new 1,340-square-foot, two-story structure including a 688-square-foot guest quarters above a detached partial subterranean 652-square-foot two-car garage will be developed on 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage which will remain. The new guest quarters consists of a living-room with bar sink, bedroom, one bath, and a porch, and is located above a two-car garage, which will be accessed from Valemont Street.

The project has been evaluated for potential impacts to sensitive vegetation and environmentally sensitive areas. As outlined in Negative Declaration No. 113555, the proposed project would not have a significant effect on the environment, therefore no mitigation was required. A Water Quality Technical Report was prepared which outlines the best management practices for construction and drainage on the site to ensure drainage and run-off is appropriately dealt with.

In addition, storm run-off has been a long-standing problem for this part of the neighborhood. Storm run off will be significantly improved in conjunction with this Project. Storm discharge from a drain day-lights in the right of way located just west of the subject site and will be connected to a new underground storm drain system depicted on Civil Engineer's drawing.

This system will collect on and off site water that will be directed into a storm drain located under the proposed driveway. It will then be discharged into the existing drainage ditch located on the south side of Valemont Street, thus reducing the flooding potential that exists to downhill properties. To minimize the amount of surface flow going downhill on the pavement, the proposed driveway will slope 2% to the existing drainage ditch. As also stated in the Negative Declaration, this proposed drainage system has been reviewed and accepted by City staff.

The quest quarters would be constructed per Building Code requirements and adequate parking for the guest quarters will be provided. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code.

The proposed development includes the construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage on a 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage accessed from an existing Valemont/Ullman alley at the southern side of the site. The regulations prohibit access from a street when access can be taken from the alley. The proposed project creates a need to access required parking (for the Guest Quarters) to be taken from the Street thru a private driveway opening. Therefore, the project also proposes a partial improvement of Valemont Street (partially improved) to extend Valemont Street as a driveway to the site at the north east side of the property to provide vehicle access to the proposed garage and guest quarters. The proposed driveway extension will be entirely within the dedicated public right-of-way.

An approved Neighborhood Use Permit, a Site Development Permit and a Variance would allow the encroachment and deviation to provide for a design that is compatible with the surrounding neighborhood. Thus, the proposed project meets the intent, purpose, and goals of the underlying zone, and the Peninsula Community Plan and Local Coastal Program Land Use Plan, and complies to the maximum extent feasible with the regulations of the Land Development Code. Therefore, the proposed development will not adversely affect the applicable land use plan.

Site Development Permit - Section §126.0504(a)

1. The proposed development will not adversely affect the applicable land use plan.

The proposed development is located at 3371 Valemont Street in the RS-1-7 Zone within the Peninsula Community Plan Area. The project site has legal frontage and abutters rights both on the existing Valemont/Ullman Alley (at the top of the property) and partially improved Valemont Street (below). The proposed construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage will be developed on 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage which will remain, conforms with the certified Peninsula Community Plan and Local Coastal Program Land Use Plan which designates this site for single family residence uses. The project also proposes a partial improvement of Valemont Street (partially unimproved) to extend Valemont Street as a driveway to the site at the north east side of the property to provide vehicle access to the proposed garage and guest quarters. As such, the proposed development will result in the provision of additional off-street parking for the existing dwelling (two spaces where one is now provided) thus bringing it current with parking regulations, and it will provide the required parking for the guest quarter's parking (one space per bedroom). The project will be visually compatible with the surrounding neighborhood. The guest quarters have been designed to blend in with the surrounding area which consists of one, and two-story homes.

The project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the RS-1-7 Zone, the Coastal Height Limit Overlay Zone, the adopted Peninsula Community Plan and Local Coastal Program Land Use Plan, and the City of San Diego General Plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The new 1,340-square-foot, two-story structure including a 688-square-foot guest quarters above a detached partial subterranean 652-square-foot two-car garage will be developed on 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage which will remain. The new guest quarters consists of a living-room with bar sink, bedroom, one bath, and a porch, and is located above a two-car garage, which will be accessed from Valemont Street.

The project has been evaluated for potential impacts to sensitive vegetation and environmentally sensitive areas. As outlined in Negative Declaration No. 113555, the proposed project would not have a significant effect on the environment, therefore no mitigation was required. A Water Quality Technical Report was prepared which outlines the best management practices for construction and drainage on the site to ensure drainage and run-off is appropriately dealt with.

In addition, storm run-off has been a long-standing problem for this part of the neighborhood. Storm run off will be significantly improved in conjunction with this Project. Storm discharge from a drain day-lights in the right of way located just west of the subject site and will be connected to a new underground storm drain system depicted on Civil Engineer's drawing.

This system will collect on and off site water that will be directed into a storm drain located under the proposed driveway. It will then be discharged into the existing drainage ditch located on the south side of Valemont Street, thus reducing the flooding potential that exists to downhill properties. To minimize the amount of surface flow going downhill on the pavement, the proposed driveway will slope 2% to the existing drainage ditch. As also stated in the Negative Declaration, this proposed drainage system has been reviewed and accepted by City staff.

The guest quarters would be constructed per Building Code requirements and adequate parking for the guest quarters will be provided. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the regulations of the Land Development Code.

The proposed development includes the construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage on a 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage accessed from the existing Valemont/Ullman alley at the southern side of the site. The regulations prohibit access from a street when access can be taken from the alley. The proposed project creates a need to access required parking (for the Guest Quarters) to be taken from the Street thru a private driveway opening. Therefore, the project also proposes a partial improvement of Valemont Street (partially improved) to extend Valemont Street as a driveway to the site at the north east side of the property to provide vehicle access to the proposed garage and guest quarters. The proposed driveway extension will be entirely within the dedicated public right-of-way.

An approved Neighborhood Use Permit, a Site Development Permit and a Variance would allow the encroachment and deviation to provide for a design that is compatible with the surrounding neighborhood. Thus, the proposed project meets the intent, purpose, and goals of the underlying zone, and the Peninsula Community Plan and Local Coastal Program Land Use Plan, and complies to the maximum extent feasible with the regulations of the Land Development Code. Therefore, the proposed development will not adversely affect the applicable land use plan.

Supplemental Findings, Public Right-of Way Encroachments(o)

1. The proposed encroachment is reasonably related to public travel, or benefits a public purpose, or all record owners have given the applicant written permission to maintain the encroachment on their property;

The proposed Project would involve the extension of the partially improved Valemont Street public right-of-way as a driveway to the site to provide vehicular access to the guest quarters and garage at the lower portion of the property. In order to achieve legal access rights to Valemont Street, the applicant proposes the installation of a private driveway which would necessitate the approval of a Site Development Permit and a Variance for a second curb cut to an existing property. The existing single family home at the top of the slope is provided with very limited vehicular access from the Alley and provides only a one car garage for the existing single family residence. The proposed guest quarters (at the lower portion of the site) would be accessed with the improvement of a driveway extending Valemont Street to the two car garage and guest quarters.

The installation of a driveway is consistent with what other adjacent properties on Valemont Street have done to provide vehicular access. The short extension of Valemont to provide access to the owner's guest quarters and lower portion of the applicant's property is consistent with other private improvements that have already occurred in the Valemont "paper" Street. There will be no proposed gates or other obstructions to keep the public from utilizing the driveway within the public right of way. As such, the public will have full rights of travel on and across the proposed driveway.

The proposed driveway extension is located within a dedicated public right-of-way and does not encroach into private property. In addition, improvements of existing storm drainage problems will be of benefit to all homes within the vicinity thus providing a beneficial public purpose.

Therefore, the proposed encroachment is reasonably related to public travel, or benefits a public purpose, or all record owners have given the applicant written permission to maintain the encroachment on their property.

2. The proposed encroachment does not interfere with the free and unobstructed use of the public right-of-way for public travel;

The project proposes the construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage on a 5,836-square-foot site contains an existing 1,567 square-foot single family residence and one (1) car garage. Approval of the

proposed driveway extension will allow for free and unobstructed use for public travel. The extension will be entirely within the dedicated public right-of way. Signs will be posted at the bottom of Valemont Street indicating single lane traffic. The driveway extension will terminate in a dead end and provide a 3 point turnaround for emergency use and public convenience.

The driveway extension will not interfere with adjacent Valemont Street properties' private use of the street nor will it affect any existing encroachments held by other adjacent property owners for their private improvements within the public right of way. There will be no gate or other obstruction that would limit the public's use of the Valemont right of way.

Therefore, the proposed encroachment does not interfere with the free and unobstructed use of the public right-of-way for public travel.

3. The proposed encroachment will not adversely affect the aesthetic character of the community; and

The project proposes the construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage on a 5,836-square-foot site contains an existing 1,567 square-foot single family residence and one (1) car garage. The project will be visually compatible with the surrounding neighborhood. The guest quarters have been designed to blend in with the surrounding area which consists of one, and two-story homes. Therefore, the proposed driveway extension which is at grade, would also have no adverse affect on the aesthetic character of the community as it is consistent with how other neighbors have gained vehicular access to their properties.

In addition, there will be no substantial changes in topography or ground relief features and the site does not contain any unique geologic or physical features. Further, no distinctive or landmark trees would be removed. The proposed driveway extension will keep the three (3) largest existing canopy trees in the unimproved Valemont Street.

Therefore, the proposed encroachment will not adversely affect the aesthetic character of the community.

4. The proposed encroachment does not violate any other Municipal Code provisions or other local, state, or federal law.

With the approval of the Site Development Permit and Variance, the proposed development would comply with all applicable Municipal Code provisions and other local, state or federal laws.

Variance – Section §126.0805:

1. There are special circumstances or conditions applying to the land or *premises* for which the variance is sought that are peculiar to the land or *premises* and do not apply generally to the land or premises in the neighborhood, and these conditions have not resulted from any act of the *applicant* after the adoption of the applicable zone regulations.

The proposed development is located at 3371 Valemont Street within the Peninsula Community Plan Area. The 5,836 square-foot site is located within the RS-1-7 Zone and has legal frontage and abutters rights both on Valemont/Ullman Alley (at the top of the property) and partially unimproved Valemont Street (below). The proposed development includes the partial improvement of Valemont Street and the construction of a 688 square-foot guest quarters over a partially subterranean 652 square-foot garage on a 5,765 square-foot site which contains an existing 1,567 square-foot single family residence with one (1) car garage. The 652 square foot first floor of the guest quarters would be comprised of a two-car garage and storage area. The 688 square-foot second floor would be comprised of the guest quarters, including a bedroom, bathroom, and sitting room, with a patio.

There are special circumstances associated with the project site that are not the result of the actions of the owner. The lot is roughly rectangular with a steep gradient from the southern portion [186 feet above mean sea level (AMSL)] of the property down to the north [150 feet AMSL] for a grade differential of 36 feet. Further, the location of the existing one-story dwelling fronting the alley is located on the uphill portion of the site, which prohibits extending the existing driveway to the proposed guest quarters on the downhill portion of the site fronting Valemont Street. The only way to provide for vehicular access to the guest quarters and add additional parking spaces as required per the Land Development Code is to allow for a driveway extension through Valemont Street. The regulations prohibit access from a street when access can be taken from the alley; however, access from the alley is infeasible due to the topographic constraints of the site. The proposed driveway from the street to the new structure will allow the applicant reasonable use of their property and will improve previously conforming conditions by increasing the parking on site and improving drainage condition.

2. The circumstances or conditions are such that the strict application of the regulations of the Land Development Code would deprive the *applicant* of reasonable use of the land or *premises* and the variance granted by the City is the minimum variance that will permit the reasonable use of the land or *premises*.

The proposed development includes the partial improvement of Valemont Street and the construction of a 688 square-foot guest quarters over a partially subterranean 652 square-foot garage on a 5,765 square-foot site which contains an existing 1,567 square-foot single family residence with one (1) car garage. The existing conditions of the site including the steep gradient combined with the zoning requirements have caused difficulty in developing the property with a guest quarters. Therefore, the project requires a variance from the Land Development Code requirements pertaining to the number and location of driveway openings [SDMC 142.0560(J)(8)(c)]: "...For properties with access to an *alley* and less than 150 feet of total frontage, a driveway is not permitted, except that in the RM-1-1, RM-1-2, and RM-1-3 zones, one driveway may be permitted if the prohibition of a driveway opening would preclude achieving the maximum *density* permitted by the underlying zone".

The proposed structure meets all current regulations with the exception of the required driveway opening. The subject property is underdeveloped, the existing floor area ratio is only 0.27 (1,567 sq. ft.) where 0.59 (3,443 sq. ft.) is allowed for the zone. The small percentage of the existing site usage is due to the steep nature of the site gradient which does not occur in most of the other lots

within the neighborhood. Even with the proposed guest quarters, the floor area ratio will be only 0.50. The building will be under the maximum 30-foot height limit allowed by the zone.

The proposed variance to the development regulations would be the minimum necessary to develop the site with the proposed guest quarters and provide sufficient parking.

3. The granting of the variance will be in harmony with the general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare.

The purpose and intent of the SDMC requirements restricting driveway openings is to prevent the loss of available on-street parking and to protect pedestrian safety. Valemont Street is currently used as a private driveway, serving two other properties between the proposed guest quarters and Canon Street. There is no existing on-street parking provided. It is used for vehicular access. The proposed driveway opening will be consistent with current use. Further, there is no sidewalk on Valemont Street and as such impacts to pedestrians will be negligible.

The Project requires a Site Development Permit for the extension of the driveway on the Paper Street and a Variance for the second curb cut (the existing curb cut above on Valemont/Ullman alley and a new curb cut below on partially improved Valemont Paper Street). Best Management practices (BMPs) are required to ensure drainage and run-off is appropriately dealt with. The Project site is not located within or adjacent to the Multi-habitat Planning Area (MHPA) of the City's Multiple Species Conservation Program. The Project site is located within an existing urbanized area. The proposed Project was found to not have a significant effect on the environment. The Project would be designed and constructed pursuant to all applicable zoning and building codes and inspected for compliance with building standards.

The installation of a driveway is consistent with what other adjacent properties on Valemont Street have done to provide vehicular access. The short extension of Valemont to provide access to the owner's guest quarters and lower portion of the applicant's property is consistent with other private improvements that have already occurred in the Valemont "paper" Street. There will be no proposed gates or other obstructions to keep the public from utilizing the driveway within the public right of way. As such, the public will have full rights of travel on and across the proposed driveway.

The proposed driveway extension is located within a dedicated public right-of-way and does not encroach into private property. In addition, improvements of existing storm drainage problems will be of benefit to all homes within the vicinity thus providing a beneficial public purpose.

Therefore, the proposed development would be in harmony with the general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare.

4. The granting of the variance will not adversely affect the applicable *land use plan*.

The proposed development is located at 3371 Valemont Street in the RS-1-7 Zone within the Peninsula Community Plan Area. The project site is designated for single-family residential in the Peninsula Community Plan with a density yield of 6-9 dwelling units per net residential acre,

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and is subject to the Proposition D thirty foot (30') height limit. A main objective of the residential element is to, "Conserve character of existing stable single-family neighborhoods throughout Peninsula including the very low-density character of certain neighborhoods."

The proposed construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage will be developed on 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage, conforms with the Community Plan designation and will not have a detrimental impact on the community plan designation.

The project also proposes a partial improvement of Valemont Street to provide vehicle access to the proposed garage and guest quarters. As such, the proposed development will result in the provision of additional off-street parking for the existing residence and compliance with current parking regulations. The proposed project would also provide the required parking for the guest quarters. The project will be visually compatible with the surrounding neighborhood. The guest quarters have been designed to blend in with the surrounding area which consists of one, and two-story homes.

The project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the RS-1-7 Zone, the Coastal Height Limit Overlay Zone, the adopted Peninsula Community Plan and Local Coastal Program Land Use Plan, and the City of San Diego General Plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Neighborhood Use Permit No. 381871, Site Development Permit No. 470555 and Variance No. 470554 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 381871, 470555 and 470554, a copy of which is attached hereto and made a part hereof.

Laila Iskandar
Development Project Manager
Development Services

Adopted on: September 4, 2008

Job Order No. 42-6968

cc: Legislative Recorder, Planning Department

Point Loma Community Planning Board Minutes
September 20, 2007
Point Loma Library, Voltaire Street

I. Parliamentary Items:

Meeting called to order by Chair D. Wylie at 6:30 PM.

Approval of agenda requested and Chair recommended moving Old/New business to immediately after Action Items. Cal Jones made motion to move Old/new business to Item II. Motion adopted following debate. MSC 8(MV, MS, KR, PR, GP, CJ, DD, GR.) 4(CS, HK, SK, MH) 2(JS, NEUTRAL)(GJ CAME LATE)

A. Non-agenda items:

a. Public input:

Dianna Spehn representing Senator Kehoe's office-Senate Bill 10 (Airport Authority)

Gregg Finley-NTC Park

Judy White-overdevelopment

Jarvis Ross-airport

Lance Murphy-committees/community members

Kathryn Rhodes-Density Bonus Ordinance

Mignon Scherer-Water shortage/global warming

S. Khalil-update on ad hoc community re bulk scale

b. Other

Mathew DeVol-3771 Valemont project

D. Davis for point of clarification stated, in question format, that the airport committee was a standing committee. No objections from the board or community

B. Agenda/Minutes approval:

May 17, 2007 minutes approved as read.

July 19, 2007 minutes approved as read

August 16, 2007 minutes approved as corrected

Board Attendance

D. Wylie, H. Kinnaird, D. Davis, G. Halbert, M. Hoppe, C. Jones, S. Khalil, G.

Page, P. Rank, K. Rhodes, M. Scherer, C. Shinn, J. Shumaker, G. Robinson, G.

Page and M. Valentine

Community attendance

R. Wasseem, S. Nolan, J. Varley, D. Reichardt, C. Jacobs, M. Stalheim, M. deVol, E. Goddard, C. Schisler, MJ Hallmark, D. Cormier, C. Roland, C. Castlen, F. Liberatore, J. Brown, L. Day, H. Steiner, J. White, J. Ross, T. Sanchez, G. Finley, S. Shaputnic, R. Guilding, M. Santana, M. Terree, M. Swall, D. Kaup, J. O'Connor, R. Myers, W. Ladd, M. Quellette, S. Ruiz, T. Altree, J. Adrian, C. Conger, C. Zolezzi, L. Hope

II. Old/New Business

G. Page moved to rescind committee chairs as voted on in June of 07. The motion was adopted after debate. MSC 8(MV,MS,GR,KR,PR,GP,CJ,GH)6(JS,CS,HK,SK,MH,DD)

G. Page moved to nominate Lance Murphy to Chair Airport Authority Committee. The motion denied after debate. MSC 5(MV,MS,KR,PR,GP)7(JS,CS,HK,SK,MH,GH,DD)2 (GR/ undecided)(CJ/legal clarification concerns)

G. Halbert moved to appoint the chairs to the PCPB subcommittees that were holding the positions prior to this evening's vote to rescind the chairs with the exception of the By-Laws and Airport subcommittees. The motion was adopted after debate. MSC11(JS,CS,MS,GR,KR,PR,GP,HK,SK,GH,DD)2(MV,MH)1(CJ/gentleman)

G. Page moved to have Lance Murphy be the primary Rep and Cynthia Conger the Alternate to ANAC and ATAG Committees. The motion was adopted after debate. MSC7(MV,MS,GR,KR,PR,GP,CJ) 5(CS,HK,SK,MH,DD)2(JS,GH/like them both)

H. Kinnaird moved to appoint G. Robinson as Chair of the By-Laws committee. The motion was adopted. MSC(MV,JS,CS,MS,KR,PR,GP,HK,,SK,CL,MH,GH,DD)0-1(GR/neutral)

G. Page moved to write a formal letter from the Board to censure Tony Kempton for providing misleading and incorrect information during our vote on the Airport representatives that may have unduly influenced the outcome and to request that the Planning Department provide us a new representative. The motion was denied after debate. MSC6(MV,MS,KR,PR,GP,CJ)7(JS,CS,HK,SK,MH,GH,DD)

C. Shinn moved to extend the meeting. The motion was adopted after debate. MSC 7(GH,SK,DD,MH,CS,HK,JS) 6(KR,GP,PR,MS,MV,CJ)

II. Government Reports Public /Communication

A. Matt Awbrey

M. Awbrey reported that on October 8th across from the Midway post office, there will be a rally in opposition of designating that location for a winter homeless shelter.

M. Awbrey reported that at the October 16th City Council meeting the winter homeless shelter will be on the agenda.

B. Libby Day

Libby Day gave an update on NTC.

III. Action Items

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a. 3771 Valemont St: G.Page moved to deny the project on the basis that the requested variance had no benefit to the public. The motion passed after debate. MSC 8(GH, GP, MS., PR, DD, MH, MV, KR,) 1(CS) 3(SK/need more verification) HK/need more info) (CJ/legal concerns) (JS-recused/conflict)

*Due to time restraints the other committee reports and new/old business was cancelled.

The meeting was adjourned at 10:00 PM.

Respectfully submitted,
Helen Kinnaird, Secretary



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval(s) requested: ☒ Neighborhood Use Permit ☐ Coastal Development Permit
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit
☐ Variance ☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment ☐ Other

Project Title

NEW DETACHED GUEST QUARTERS

Project No. For City Use Only

113555

Project Address:

3371 VALEMONT ST SAN DIEGO, CA

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached ☐ Yes ☒ No

Name of Individual (type or print):

FEDERICO LIBERATORE

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

3371 VALEMONT ST

Street Address:

SAN DIEGO CA 92104

City/State/Zip:

619 523-1290 619 544-2682

Phone No:

Fax No:

Signature:

Federico Liberatore 7-12-06

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:


City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

	RECEIVED CITY CLERK'S OFFICE NOV 14 11 11 AM '07	Development Permit/ Environmental Determination Appeal Application	FORM DS-3031 March 2007
	City of San Diego Development Services 1222 First Ave. 3rd Floor San Diego, CA 92101 (619) 448-3210		

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:
☐ Process Two Decision - Appeal to Planning Commission
☐ Process Three Decision - Appeal to Planning Commission
☒ Process Four Decision - Appeal to City Council
☐ Environmental Determination - Appeal to City Council
☐ Appeal of a Hearing Officer Decision to revoke a permit

2. Appellant Please check one ☐ Applicant ☐ Officially recognized Planning Committee ☒ "Interested Person" (Per M.C. Sec. 113.0103)

Name: William A. Ladd & Anita Bursorek 619-222-3305 home
 Address: 3366 Valmont Street San Diego CA 92106 619-417-3366 cell
 3. Applicant Name (As shown on the Permit/Approval being appealed): Skip Shaputric Complete if different from appellant.

4. Project Information
 Permit/Environmental Determination & Permit/Document No.: Project number 113555 Date of Decision/Determination: 11/6/2008 City Project Manager: Laila Iskandar
 Decision (describe the permit/approval decision): The project was deadlocked for weeks in the Planning Commission, so they re-voted simply to send it to the City Council for a decision, as they knew it would be appealed. Approval was for NUP, SDP, variance.

5. Grounds for Appeal (Please check all that apply)
☐ Factual Error (Process Three and Four decisions only)
☐ Conflict with other matters (Process Three and Four decisions only)
☒ Findings Not Supported (Process Three and Four decisions only)
☐ New Information (Process Three and Four decisions only)
☐ City-wide Significance (Process Four decisions only)

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

The first variance finding cannot be made - Mr. Liberator's lot does not have special circumstances or conditions peculiar to his lot that do not apply to the lots in the neighborhood.

The second variance finding cannot be made - denying the variance will not deny Mr. Liberator reasonable use of his property. The existing home is reasonable use; There is no requirement that he be allowed a guest house.

The third variance finding cannot be made - The construction of the driveway and retaining walls in a narrow finger canyon, for which the variance would be required, will be detrimental to the stability of adjacent properties (public health, safety and welfare).

The Peninsula Community Planning Board voted overwhelmingly against approval of the project on two separate occasions with two very differently composed boards:

May 17, 2007 (7 opposed-2-0) and September 20, 2007 (8 opposed-2-1)

The Chair and Vice Chair of the San Diego City Planning Commission are convinced that findings cannot be made for a variance.

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: William A. Ladd Date: 11/12/08
Anita J. Bursorek
 Note: Faxed appeals are not accepted. Appeal fees are non-refundable.

000875

Federico Liberatore
3371 Valemont St
San Diego, CA 92106
619-523-1296

Dear Ms. Iskandar,

I am writing in regard to the petition against permitting project 113555 (Liberatore Guest Quarters). I regret to say that the comment made in the second paragraph of this petition that I have every right to develop my property can only be interpreted as patronizing and disingenuous because the rest of the document sets out to establish very serious restrictions on the development of my property. The true extent of the intended restriction on development is captured in the fourth paragraph by the observation that 'neighbors with similar lots have developed their properties to include beautiful gardens and decks all within code and without variances'. The reasons used to deny the permit for this project are (1) variances should not be granted and (2) the 'finger canyon' buffers all of the neighboring properties.

The response to objection (1) is that variances are allowed as part of the code. Article §126.0801 of the San Diego Municipal Code, Purpose of Variance Procedures, states *"The purpose of these procedures is to provide relief for cases in which, because of special circumstances applicable to the property including size, shape, topography, location, or surroundings, the strict application of the development regulations would deprive the property of privileges enjoyed by other property in the vicinity and under the same land use designation and zone."*

It is possible to revise the plans submitted to eliminate the variance by reversing the roles of the two structures. The lower structure would become the primary residence and the upper structure would become the guest quarters. Revising the construction plans and adhering to the 'no-variance' philosophy would only impose additional burden, create a second construction site, and alter the character of the Valemont alley, which is unique because the legal back-yards are functionally front-yards.

Granting a variance is appropriate in this case not because it is required for construction, but because it relieves hardship. This hardship is a consequence of the development history of the area, which happened before I took ownership of the subject property. The alley was created first and the houses built reflect the limitations imposed by the terrain sloping away from the alley.

Objection (2) would prohibit construction because it would not allow access to the establishment of a work-site on the lower part of my property. The response to objection (2) is that there are only two properties that qualify as being buffered by the 'finger-canyon', 1207 Bangor St and 3366 Valemont St as shown on the aerial attached photo- both located on the north side of the Valemont right of way. The amount of vegetation that would need to be removed (a clump of bamboo trees and an ash tree) to extend the paved driveway in the right-of-way is minimal. Also, cross-section C-C on page 2 of the preliminary grading plans shows the right-of-way extension to be situated in a trough. The included photographs show that the trough bank on the side of 1207 Bangor and 3366 Valemont is steep.

The steepness of the bank combined with the presence of the existing large trees, which will remain during construction of the guest quarters, and surrounding vegetation will provide ample visual screening of my proposed project from these properties, thus retaining the existing open space feel. Furthermore, existing and proposed landscaping per the attached landscape plan will only increase with the rapid growth and spread of these species, thus enhancing the screening effect.

Photos 2 through 6 are a panning sequence taken from the nearest location of the guest quarters looking at the properties across the right-of-way. The photos are the visual proof of the landscape and grading plans and refute the claim that extending the right of way will have a negative impact on surrounding properties. Photos 7 and 8 show the view looking across the right of way at the highest point of the guest quarters. They show the elevation of the canopy will shield the view of the entire structure.

I am dismayed to have to write this letter, but I must because I believe my rights are being

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jeopardized. I understand that I have responsibilities as well and I feel that I am being held accountable through the review and permitting process. I don't see accountability or responsibility being shown by individuals that claim to represent the public's best interest. I interpret the actions I've witnessed (strong opposition to variances, guest-quarters, and reclassification of unpaved public right-of-way as a canyon) amounting to the hijacking of the land development code by a minority that seeks to satisfy its agenda or ulterior motives.

Sincerely,

Federico Liberatori

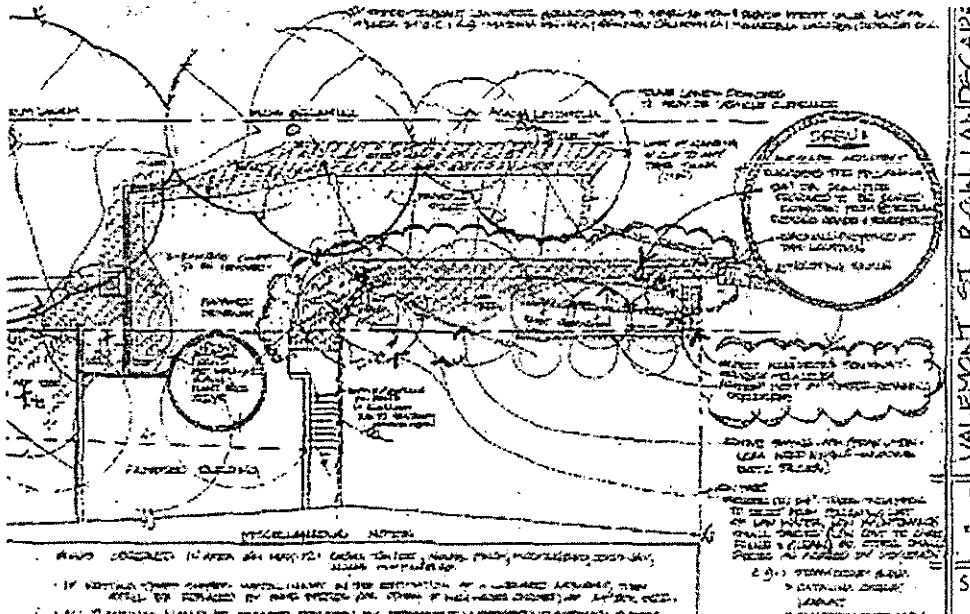


Figure 1: Preliminary landscaping plan.



Prelim Grading plan07_30_07.pdf

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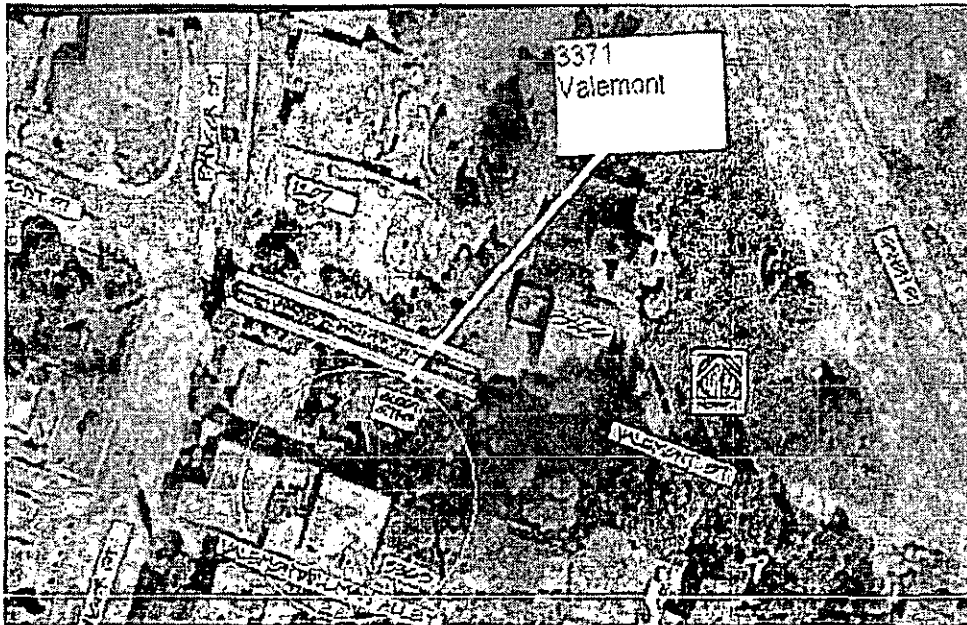


Photo 1: Aerial view of subject property and neighboring properties.



Photo 2: 3371 Valemont St center of property on Valemont St line looking North. 1207 Bangor in view through trees.

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Photo 3: 3371 Valemont St center of property on Valemont St line panning westward. 1207 Bangor in view through trees.

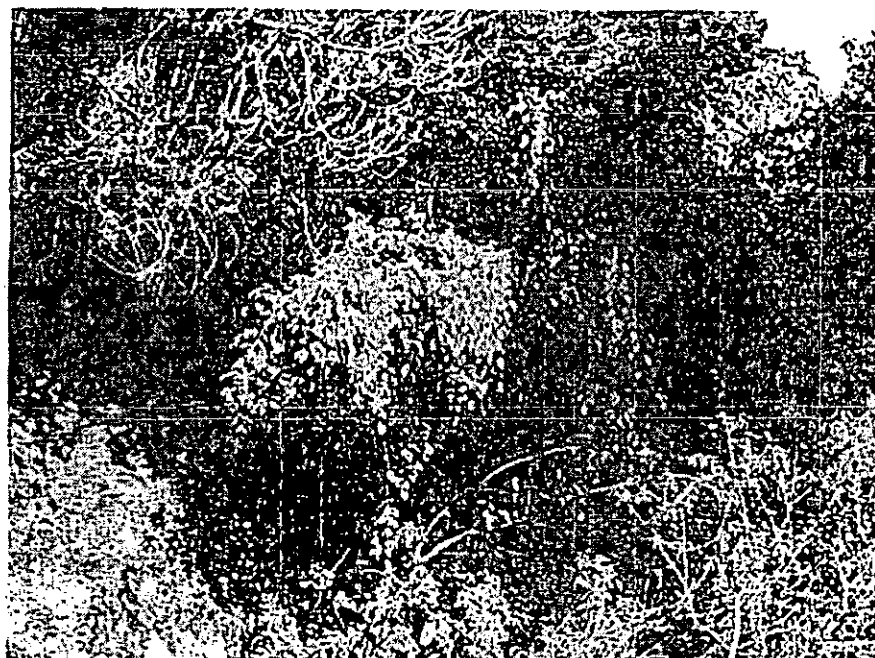


Photo 4: 3371 Valemont St center of property on Valemont St line panning westward.

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Photo 5: 3371 Valemont St center of property on Valemont St line panning westward. Clump of bamboo trees visible.

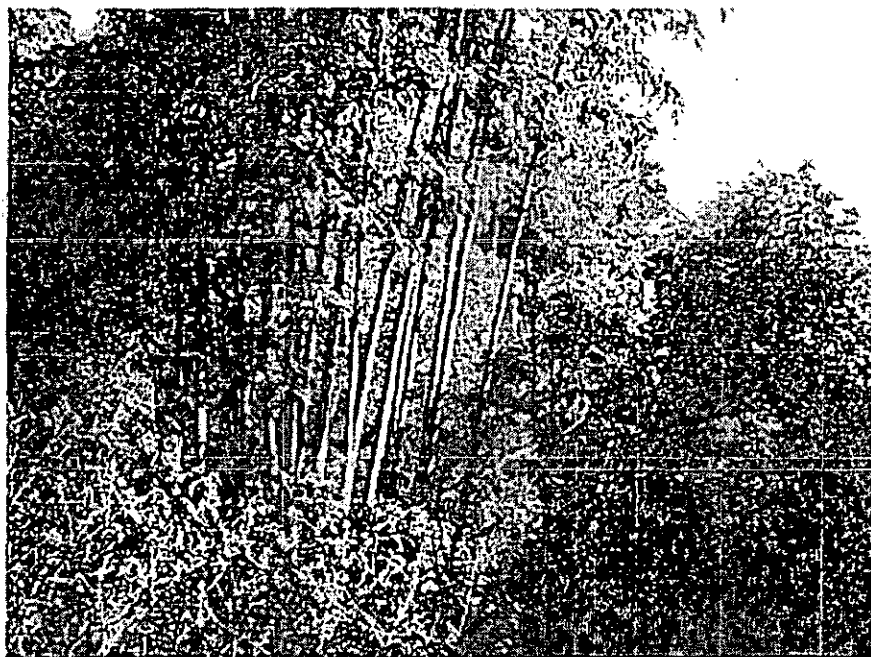


Photo 6: 3371 Valemont St center of property on Valemont St line panning westward. 3366 Valemont St visible through bamboo trees.

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Photo 7: 3371 Valemont St at approximate location of guest quarters roof top, south side of structure. 1207 Bangor blocked from view.



Photo 8: 3371 Valemont Valemont St at approximate location of guest quarters roof top, south side of structure. 3366 Valemont St in view.

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I have reviewed the plans for the project known as Liberators guest quarters (City of San Diego project number 113555) and do not object to its construction.

Name/Address/Phone #

J. Deblanc 1155 Bangor St. San Diego 92106 619-222-2079

Barry K. KONT 3345 VILLMAN ST. SAN DIEGO 92106 WITH POSSIBLE FUTURE
RESERVATIONS
Carl T. KONT 3346 VILLMAN SAN DIEGO 92106 619-229-7030

000882

04/25/2007 09:29

61927 7483

JAY SHIMAKI

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ATTACHMENT 14

Juno e-mail printed Fri, 8 Jun 2007 17:08:39 , page 1

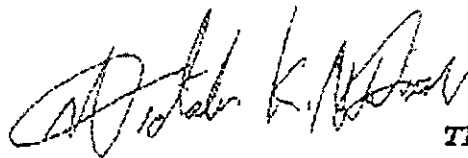
From: Nicholas K. Wilson <Mr.N.Wilson@juno.com>
To: The City of San Diego
Cc: Development Services Department
Subject: Neighborhood Use Permit #113555 Liberatore Res.

To Whom it may concern,

Mr. Fred Liberatore owner of 3371 Valemont street (Fred) is our next door neighbor. Marjorie Jane Wilson is the owner and occupant of 1165 Bangor street, directly on the west side of Freds' property and proposed project.

My name is Nicholas K. Wilson and am the property manager for the Thomas Wilson Family Trust. Fred has shown me the most current site plans, Landscape plans, and Floor plans including the complete drainage detail within the new proposed plot plan. I have discussed the project in its entirety with Marjorie Jane Wilson and also Freds' intention for the additional living space and garage with new access extension driveway located within the public "Right of Way" zone. We see no problem at all with this endeavor but would like to make sure that in the future (next 50 years approx.) the added living space does not serve as a rental unit or ability to change the zoning to the property from the existing R-1 zoning with a proposed "Granny Flat".

Good Luck to all who are involved in this "Posted Notice of Future Decision" process.



Sincerely yours, Nicholas K. Wilson

THOMAS WILSON FAMILY TRUST
P.O. Box 60284
San Diego, Calif. 92166

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06/25/2007 03:29 6192003483

JAY SHUMAKER

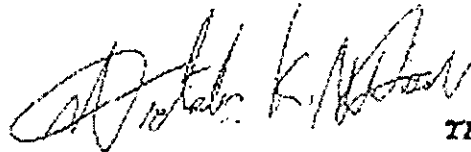
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proposed project.

ATTACHMENT 11

My name is Nicholas K. Wilson and am the property manager for the Thomas Wilson Family Trust. Fred has shown me the most current site plans, Landscape plans, and Floor plans including the complete drainage detail within the new proposed plot plan. I have discussed the project in its entirety with Marjorie Jane Wilson and also Freds' intention for the additional living space and garage with new access extension driveway located within the public "Right of Way" zone. We see no problem at all with this endeavor but would like to make sure that in the future (next 50 years approx.) the added living space does not serve as a rental unit or ability to change the zoning to the property from the existing R-1 zoning with a proposed "Granny Flat".

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THOMAS WILSON FAMILY TRUST
P.O. Box 60284
San Diego, Calif. 92166

Sincerely yours, Nicholas K. Wilson

Juno e-mail printed Fri, 8 Jun 2007 17:08:39, page 2

Marjorie Jane Wilson

N.K.W./6-2007



THOMAS WILSON FAMILY TRUST
P.O. Box 60284
San Diego, Calif. 92166

From: "Matthew DeVol" <mdevol@iaia.org>
To: "Laila Iskandar" <liskandar@sandiego.gov>
Date: 11/14/2006 12:22:15 PM
Subject: Application for Permits at 3371 Valmont Street?

Laila,

Further to our conversation of yesterday, I am forwarding a copy (attached) of the Encroachment Maintenance and Removal Agreement, which permits me to maintain a private driveway on a portion of Valmont Street. The section of Valmont Street, to which my encroachment applies, is commonly referred to as a "paper street" and was repaved in 2004 at my own expense of nearly \$30,000.

As I understand, the property owner of 3371 Valmont Street has applied for permits to extend the existing private driveway, into a natural area, as a route for vehicles to access a (yet to be constructed) 2 car garage & guest quarters. For reasons to be explained, I would have serious concerns regarding safety and financial liability, if the City were to approve the permits necessary to extend the roadway, further into the canyon, than the existing road surface.

1) If the roadway is extended, who will be financially liable for it's maintenance and upkeep? Presently, the City of San Diego assumes no responsibility in maintaining the roadway. However, it could impact me financially, if the City were to permit an increase in traffic on the "paper street" portion of Valmont Street for which I am responsible to maintain.

2) All of the odd-numbered addresses (3345-3371), in the 3300 block on Valmont Street, gain access to their properties currently via an alley off Bangor Street, which runs adjacent to each of their respective properties. Unlike the odd-numbered addresses, the property owners of 3336 & 3366 Valmont Street can only gain access to their properties by means of their existing encroachment on Valmont Street.

3) Flooding is a frequent problem, in the area in question, as it serves as a storm drainage for a large number of city blocks further up the canyon. Will the storm runoff be properly controlled if a permit is granted to grade the natural drainage that presently exists in the canyon?

4) The existing private driveway is a single lane road, and if the City of San Diego were to allow an increase in traffic on the road, I would question whether it would pose a safety problem (i.e., access by emergency vehicles).

I would greatly appreciate any consideration given, to the concerns I've expressed, in deciding whether to grant permits to extend the existing private driveway for the benefit of 3371 Valmont Street.

Matthew DeVol
3336 Valmont Street
San Diego, CA
W (858) 752-6530

We the undersigned, as property owners in the "public noticing area," are commenting on the proposed project for 3371 Valemont Street, Project No. 11355, Work Order No. 42-6968.

We agree that Mr. Liberatore has every right to develop his property.

We agree that any construction on the property should comply, in full, with the Municipal Building Code and should be properly permitted.

We oppose granting any variance from the Municipal Building Code, specifically per code section 142.0560(j)(8)(C). The code does not permit a second driveway when the lot has access to an alley and less than 150 feet of total frontage. The property is not unique from the properties bordering it. All properties are on steep slopes and the neighbors with similar lots have developed their properties to include beautiful gardens and decks all within code and without variances.

We support keeping the few finger canyons that exist on Point Loma as they are without pavement or development. We believe that the local community benefits best if the unimproved right-of-way is left unimproved allowing it to serve as a natural buffer between all of the neighboring properties.

Amira Busquets with a friend 3366 Valemont St
Name Amira Busquets & William Hall Address

Nancy Knight 3395 Valemont St. 92106
Name Nancy Knight Address

Sunny Bauer 3355 Valemont St, 92106
Name Sunny Bauer Address

Larry Angione 1207 Bangor St. 92106
Name Larry Angione Address

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Kathleen Kelly
Name Kathleen Kelly

1181 Bangor St, SD 92106
Address

Monk Kelly
Name Monk Kelly

1181 Bangor St SD 92106
Address

Monk Kelly
Name

3336 Valmont St., S.D., 92106
Address

Ruth Goulding
Name

3336 Valmont St. SD. 92106
Address

We the undersigned, as property owners in the "public noticing area," are commenting on the proposed project for 3371 Valemont Street, Project No. 11355, Work Order No. 42-6968.

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Catherine A. Hunter
Name

118 AKRON ST. SAN DIEGO, CA 92106
Address

[Signature]
Name

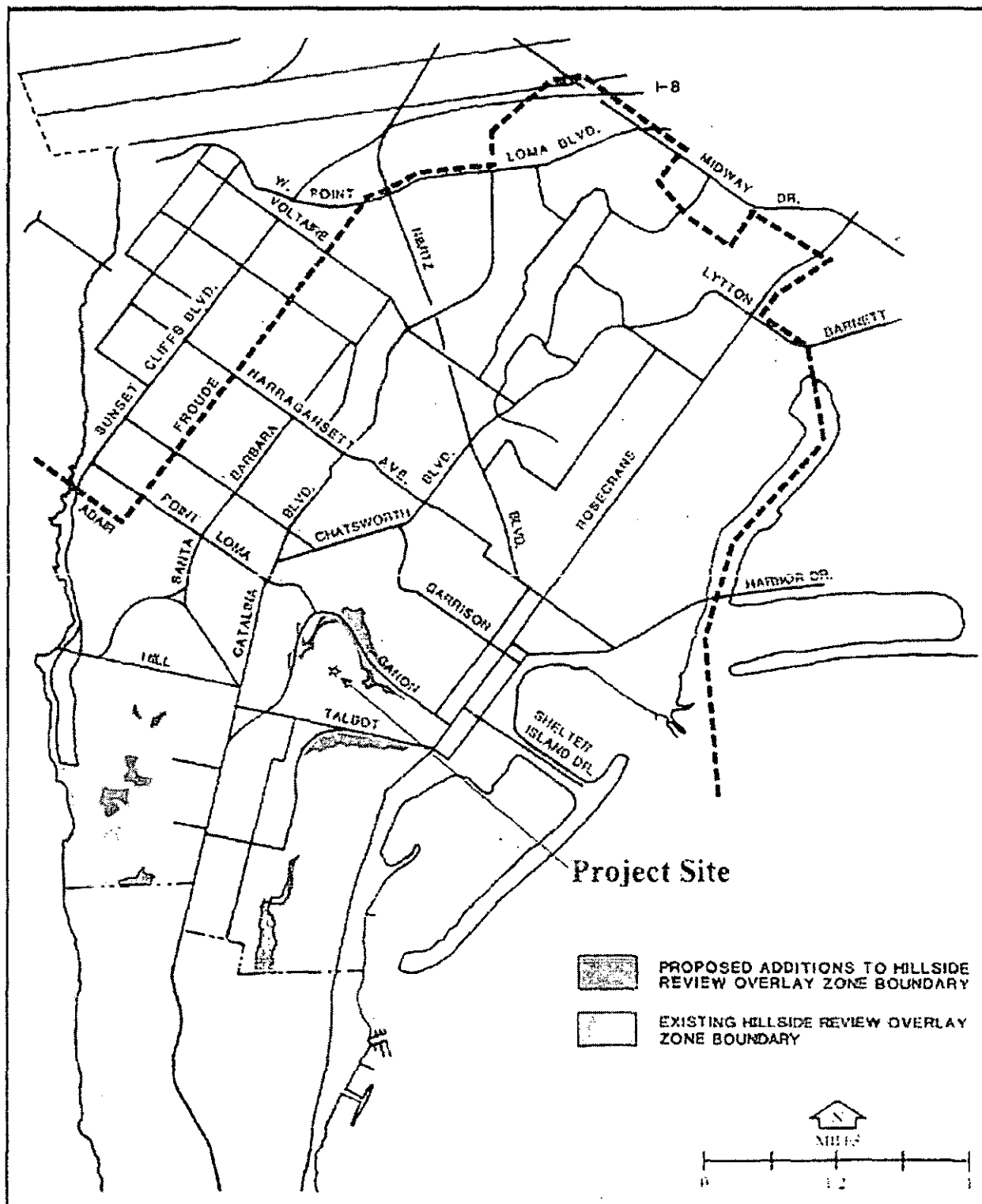
1182 Akron St. San Diego, CA 92106
Address

Name

Address

Name

Address



Hillside Review Overlay Zone Boundary




Peninsula Community Plan

CITY OF SAN DIEGO PLANNING DEPARTMENT

FIGURE 26



Project Site

-  SV – Sensitive Vegetation
-  PSV – Potential Sensitive Vegetation
-  Slopes greater than 25%

000891



ATTACHMENT 16

WATER QUALITY TECHNICAL REPORT

LIBERATORE RESIDENCE
NEIGHBORHOOD USE PERMIT
CITY OF SAN DIEGO
PTS # , WO #

Prepared for:

FEDERICO LIBERATORE
3371 VALEMONT STREET
SAN DIEGO, CA 92106

Prepared by:

SB&O, INC.
3990 RUFFIN ROAD, SUITE 120
SAN DIEGO, CA 92123
858-560-1141
SB&O JOB NO. 64660.65


PETER R. SAFINO, PE 44171

August 29, 2006

EC: 01.001

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PROJECT DESCRIPTION	3
POLLUTANTS & CONDITIONS OF CONCERN	3
SITE DESIGN BMP'S	3-4
SOURCE CONTROL BMP'S	4
BMP'S APPLICABLE TO INDIVIDUAL PRIORITY PROJECT CATEGORIES	4
TREATMENT CONTROL BMP'S	5
SUMMARY	5

APPENDICES

- I. 303(d) IMPAIRED WATER BODY LIST
- II. STORM WATER REQUIREMENTS APPLICABILITY CHECKLIST

EXHIBITS

- A. SITE MAP Map Pocket

INTRODUCTION

The Municipal Storm Water National Pollutant Discharge Elimination System (NPDES) permit (Order No. 2001-01, NPDES No. CAS0108758, hereinafter referred to as "Municipal Permit") issued to San Diego County, the Port of San Diego, and 18 cities (Co-permittees) by the San Diego Regional Water Quality Control Board (Regional Board) on February 21, 2001, requires the development and implementation of a program addressing urban runoff pollution issues in development planning for public and private projects.

The requirement to implement a program for development planning is based on federal and state statutes including: Section 402 (p) of the Clean Water Act, Section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 ("CZARA"), and the California Water Code. The Clean Water Act amendments of 1987 established a framework for regulating urban runoff discharges from municipal, industrial, and construction activities under the NPDES program. The Municipal Permit requires the implementation of a Jurisdictional Urban Runoff Management Program (URMP). The primary objectives of the Jurisdictional URMP requirements are to:

1. Ensure that discharges from municipal urban runoff conveyance systems do not cause or contribute to a violation of water quality standards;
2. Effectively prohibit non-storm water discharges in urban runoff; and
3. Reduce the discharge of pollutants from urban runoff conveyance systems to the Maximum Extent Practicable (MEP statutory standard).

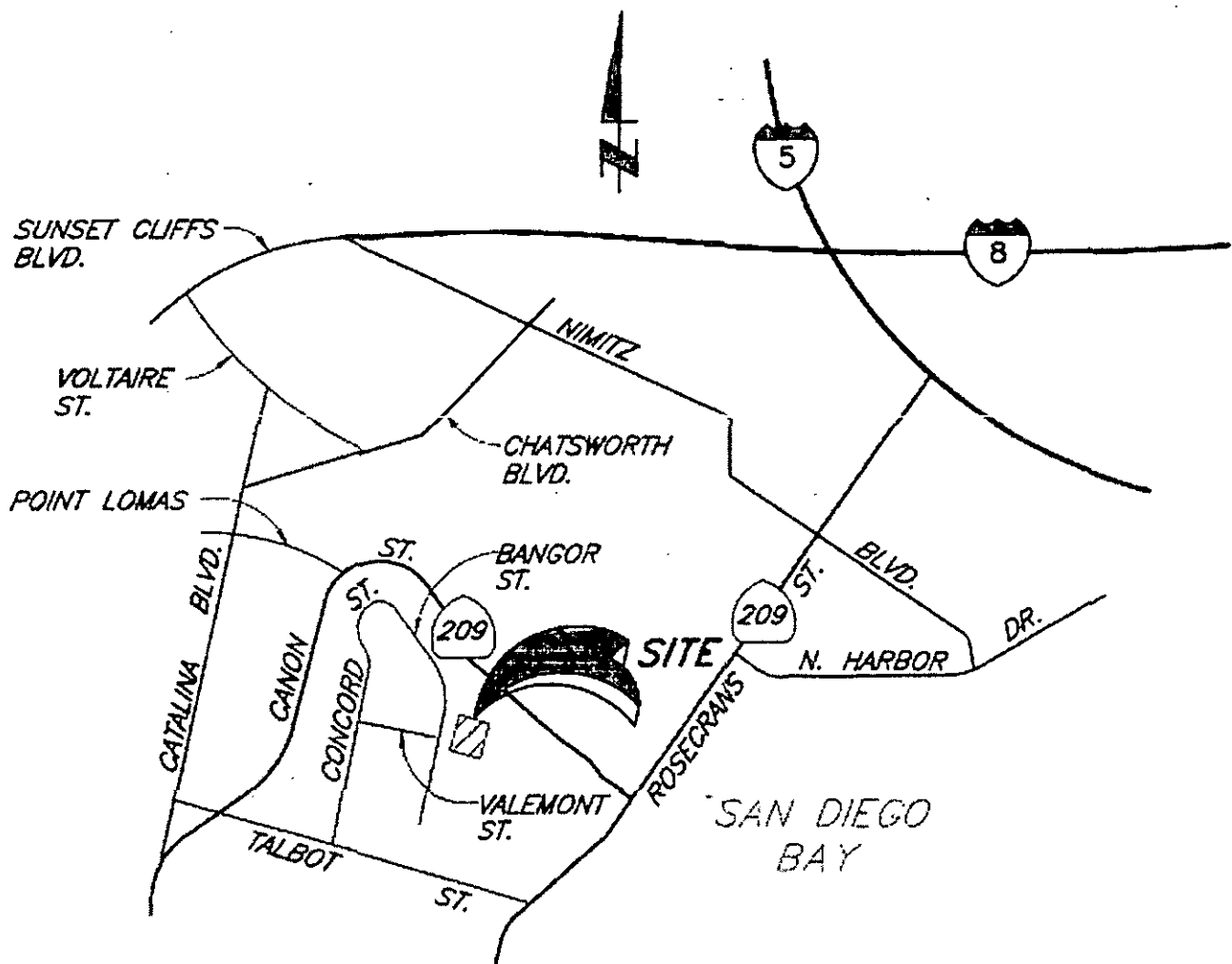
The City of San Diego issued a "Storm Water Standards" manual on May 30, 2003 to establish a framework for the implementation of the municipal permit.

000894



ATTACHMENT 16

VICINITY MAP



VICINITY MAP
NOT TO SCALE

PROJECT DESCRIPTION

The proposed project is located on Valemont Street, east of Bangor Street, in the City of San Diego. The site is made up of Lots 18 & 19 in Block 1, Tract 423. Existing site conditions can be described as single-family residential. The site currently has access from the alley on the south edge of the site. The north edge of the project is Valemont Street, which currently provides no access to the site. An existing home is located adjacent to the alley. The northern half of the site consists of vegetated slopes with pathways, stairs, and terraces.

The development proposes a two car garage and guest quarters near the north edge of the site. Vehicular access will be provided from Valemont Street by extending the existing access road from the east. The project will also consist of stairs, walkways, and retaining walls to provide pedestrian access to the existing home. The area of the proposed project site is approximately 0.14-acre. The existing home on the project site is to remain.

POLLUTANTS & CONDITIONS OF CONCERN

The Storm Water Standards manual includes priority project categories for construction activities. The project will not be subject to the California NPDES Permit for storm water discharges associated with Construction Activities according to the City of San Diego Storm Water Requirements Applicability Checklist (Appendix X). The development will be "medium priority" and will discharge to Valemont Street. This project is not a direct tributary to any body of water listed on the SWRCB 303(d) impaired water body list (Appendix IX). The site does eventually drain to the San Diego Bay which is listed on the 303(d) impaired water body list for benthic community effects, sediment toxicity, bacteria indicators, and dissolved copper.

The property is located within the Point Loma HA (908.10). Drainage patterns will not be altered by the construction of this project. The site will continue to drain to the adjacent brow ditch and the nearest inlet structure. The site is located south of Interstate 8, and west of Interstate 5. Runoff from the site discharges directly to the City of San Diego storm drain system, (MS-4). Therefore, there are no conditions of concern. Changes in site discharge will not materially affect current conditions.

In accordance with Table 2, Section III of the Storm Water Standards manual, the anticipated pollutants of concern from the project area include sediments, nutrients, trash/debris, oxygen demanding substances, oil/grease, bacteria/viruses, and pesticides. Contributors include landscape areas, pet waste, poor waste management, and roof runoff.

A) SITE DESIGN BMP'S

The following site design BMP's have been incorporated:

1. The impervious footprint has been minimized by incorporating a multiple story design and by minimizing the use of impervious surfaces, such as decorative concrete in the

landscape areas. Driveways, and sidewalks have been designed to minimum practical widths.

2. Natural areas have been conserved where possible; there are no water bodies or environmentally sensitive areas within the project limits. Natural drainage systems are used to the maximum extent practical.
3. Impervious areas that are to be directly connected to storm drain will be minimized where possible.
4. Several trees with medium to large sized canopies and shrubs will be placed to intercept rainfall.
5. Runoff will be conveyed safely from the tops of slopes, via swales and area drains.
6. Slope vegetation shall be drought tolerant and placed to reduce erosion.
7. N/A. There are no permanent channel crossings proposed or existing onsite.
8. N/A. There are no new storm drains or brow ditches that enter unlined channels. No rip-rap is necessary.

B) SOURCE CONTROL BMP'S

The following source control BMP's have been incorporated:

9. N/A. There will be no outdoor storage areas for the proposed development. All storage areas will be located within the garage.
10. Trash storage areas will be located inside the proposed garage and therefore will be paved with impervious surfaces and will utilize trash containers with attached lids.
11. Integrated pest management principles shall be considered where feasible based upon the final plant palette. Pests will be discouraged by selecting native plant species, and by modifying site landscape design.
12. N/A. The project involves only the current resident of one single family home. There will be no tenants or future residents.
13. The irrigation system will include rain shutoff devices to prevent irrigation during and after precipitation.
14. An efficient irrigation system will be designed to provide each landscaped area specific water requirements.
15. Irrigation design will include reducers or shutoff valves triggered by a pressure drop to control water loss in the event of broken sprinkler heads or lines.
16. Storm water conveyance system stenciling and signage shall be posted to deter illegal dumping at public access points. Signage shall read "NO DUMPING - I LIVE DOWNSTREAM", satisfactory to the City Engineer.
17. Storm water conveyance system stenciling and signage shall be posted to deter illegal dumping at open channels and brow ditches.

C) BMP'S APPLICABLE TO INDIVIDUAL PRIORITY PROJECT CATEGORIES

N/A. This project does not qualify as an individual priority project.

D) TREATMENT CONTROL BMP'S

N/A. This project is subject to the "Standard Requirements" as outlined in the Storm Water Standards Manual Section II, Part A, and Section II, Table 1. Treatment Control is not required for this project.

SUMMARY

The project site drainage will not be significantly changed by the proposed project. Site Design and Source Control BMP's have been incorporated into the project design to provide the Maximum Extent Practicable (MEP statutory standard) reduction of pollutants in site runoff.

000899



ATTACHMENT 16

APPENDIX I

2002 CWA SECTION 303(d) LIST OF WATER QUALITY LIMITED SEGMENT

Approved by CWRB
July 2002

SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

REGION	TYPE	NAME	CALWATER WATERSHED	POLLUTANT/STRESSOR	POTENTIAL SOURCES	TMDL PRIORITY	ESTIMATED SIZE AFFECTED	PROPOSED TMDL COMPLETION
9	B	San Diego Bay Shoreline, near sub base	90810000	Benthic Community Effects	Nonpoint/Point Source	Medium	16 Acres	
				Sediment Toxicity	Nonpoint/Point Source	Medium	16 Acres	
9	B	San Diego Bay Shoreline, near Solter Creek	90821000	Chloride	Urban Runoff/Storm Sewers Other Boatyards Nonpoint/Point Source	Medium	5.5 Acres	
				Lead	Urban Runoff/Storm Sewers Other Boatyards Nonpoint/Point Source	Medium	5.5 Acres	
				PAHs	Urban Runoff/Storm Sewers Other Boatyards Nonpoint/Point Source	Medium	5.5 Acres	
9	B	San Diego Bay Shoreline, North of 24th Street Marine Terminal	90832000	Benthic Community Effects	Nonpoint/Point Source	Medium	9.5 Acres	
				Sediment Toxicity	Nonpoint/Point Source	Medium	9.5 Acres	
9	B	San Diego Bay Shoreline, Seventh Street Channel	90831000	Benthic Community Effects	Nonpoint/Point Source	Medium	9 Acres	
				Sediment Toxicity	Nonpoint/Point Source	Medium	9 Acres	

2002 CWA SECTION 303(d) LIST OF WATER QUALITY LIMITED SEGMENT

SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

Revised: 1/17/03
July 2003

REGION	TYPE	NAME	CALWATER WATERSHED	POLLUTANT/STRESSOR	POTENTIAL SOURCES	TMDL PRIORITY	ESTIMATED SIZE AFFECTED	PROPOSED TMDL COMPLETION
9	C	San Diego Bay Shoreline, Shelter Island Shoreline Park	90810000	Bacteria Indicators	Unknown Nonpoint Source Unknown point source	Low	0.42 Miles	
9	C	San Diego Bay Shoreline, Tidelands Park	91010000	Bacteria Indicators	Unknown Nonpoint Source Unknown point source	Low	0.39 Miles	
9	B	San Diego Bay Shoreline, Vicinity of B St and Broadway Piers	90521000	Bacteria Indicators <i>Estimated size of impairment is 0.1 miles around the shoreline of the bay.</i>	Urban Runoff/Storm Sewers Unknown Nonpoint Source Unknown point source	Low	9.9 Acres	
				Benthic Community Effects	Nonpoint/Point Source	Medium	9.9 Acres	
				Sediment Toxicity	Nonpoint/Point Source	Medium	9.9 Acres	
9	B	San Diego Bay, Shelter Island Yacht Basin	90810000	Copper, Dissolved	Nonpoint/Point Source	High	15.3 Acres	2003
9	R	San Diego River (Lower)	90711000	Fecal Coliform <i>Lower 5 miles.</i>	Urban Runoff/Storm Sewers Wastewater Nonpoint/Point Source	Low	12 Miles	
				Low Dissolved Oxygen <i>Department of Sanicomb adjacent Calwater watershed 90712.</i>	Urban Runoff/Storm Sewers Unknown Nonpoint Source Unknown point source	Low	12 Miles	

000901

000902



ATTACHMENT 16

APPENDIX II



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000 for information

Storm Water Requirements Applicability Checklist

Project Address: 3371 Valemont Street 92106	Assessor Parcel Number(s): 531-211-03	Project Number (for City Use Only)
--	--	------------------------------------

Complete Sections 1 and 2 of the following checklist to determine your project's permanent and construction storm water best management practices requirements. This form must be completed and submitted with your permit application.

Section 1 - Permanent Storm Water BMP Requirements:

If any answers to Part A are answered "Yes," your project is subject to the "Priority Project Permanent Storm Water BMP Requirements," and "Standard Permanent Storm Water BMP Requirements" of the Storm Water Standards Manual, Section III, "Permanent Storm Water BMP Selection Procedure." If all answers to Part A are "No," and any answers to Part B are "Yes," your project is only subject to the Standard Permanent Storm Water BMP Requirements. If every question in Part A and B is answered "No," your project is exempt from permanent storm water requirements.

Part A: Determine Priority Project Permanent Storm Water BMP Requirements.

Does the project meet the definition of one or more of the priority project categories?

1. Detached residential development of 10 or more units ☐ Yes ☒ No
2. Attached residential development of 10 or more units ☐ Yes ☒ No
3. Commercial development greater than 100,000 square feet ☐ Yes ☒ No
4. Automotive repair shop ☐ Yes ☒ No
5. Restaurant ☐ Yes ☒ No
6. Steep hillside development greater than 5,000 square feet ☐ Yes ☒ No
7. Project discharging to receiving waters within Water Quality Sensitive Areas ☐ Yes ☒ No
8. Parking lots greater than or equal to 5,000 square feet or with at least 15 parking spaces, and potentially exposed to urban runoff ☐ Yes ☒ No
9. Streets, roads, highways, and freeways which would create a new paved surface that is 5,000 square feet or greater ☐ Yes ☒ No
10. Significant redevelopment over 5,000 square feet ☐ Yes ☒ No

* Refer to the definitions section in the Storm Water Standards for expanded definitions of the priority project categories. Limited Exclusion: Trenching and resurfacing work associated with utility projects are not considered priority projects. Parking lots, buildings and other structures associated with utility projects are priority projects if one or more of the criteria in Part A is met. If all answers to Part A are "No," continue to Part B.

Part B: Determine Standard Permanent Storm Water Requirements.

Does the project propose:

1. New impervious areas, such as rooftops, roads, parking lots, driveways, paths and sidewalks? ☒ Yes ☐ No
2. New pervious landscape areas and irrigation systems? ☒ Yes ☐ No
3. Permanent structures within 100 feet of any natural water body? ☐ Yes ☒ No
4. Trash storage areas? ☐ Yes ☒ No
5. Liquid or solid material loading and unloading areas? ☐ Yes ☒ No
6. Vehicle or equipment fueling, washing, or maintenance areas? ☐ Yes ☒ No
7. Require a General NPDES Permit for Storm Water Discharges Associated with Industrial Activities (Except construction)? ☐ Yes ☒ No
8. Commercial or industrial waste handling or storage, excluding typical office or household waste? ☐ Yes ☒ No
9. Any grading or ground disturbance during construction? ☒ Yes ☐ No
10. Any new storm drains, or alteration to existing storm drains? ☒ Yes ☐ No

*To find out if your project is required to obtain an individual General NPDES Permit for Storm Water Discharges Associated with Industrial Activities, visit the State Water Resources Control Board web site at, <http://www.swrcb.ca.gov/stormwater/industrial.html>

OVER

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services
Upon request, this information is available in alternative formats for persons with disabilities.

Section 2. Construction Storm Water BMP Requirements:

If the answer to question 1 of Part C is answered "Yes," your project is subject to Section IV of the Storm Water Standards Manual, "Construction Storm Water BMP Performance Standards," and must prepare a Storm Water Pollution Prevention Plan (SWPPP). If the answer to question 1 of Part C is "No," but the answer to any of the remaining questions is "Yes," your project is subject to Section IV of the Storm Water Standards Manual, "Construction Storm Water BMP Performance Standards," and must prepare a Water Pollution Control Plan (WPCP). If every question in Part C is answered "No," your project is exempt from any construction storm water BMP requirements. If any of the answers to the questions in Part C are "Yes," complete the construction site prioritization in Part D below.

Part C: Determine Construction Phase Storm Water Requirements.

Would the project meet any of these criteria during construction?

1. Is the project subject to California's statewide General NPDES Permit for Storm Water Discharges Associated With Construction Activities? ☐ Yes ☒ No
2. Does the project propose grading or soil disturbance? ☒ Yes ☐ No
3. Would storm water or urban runoff have the potential to contact any portion of the construction area, including washing and staging areas? ☒ Yes ☐ No
4. Would the project use any construction materials that could negatively affect water quality if discharged from the site (such as, paints, solvents, concrete, and stucco)? ☒ Yes ☐ No

Part D: Determine Construction Site Priority

In accordance with the Municipal Permit, each construction site with construction storm water BMP requirements must be designated with a priority: high, medium or low. This prioritization must be completed with this form, noted on the plans, and included in the SWPPP or WPCP. Indicate the project's priority in one of the check boxes using the criteria below, and existing and surrounding conditions of the project, the type of activities necessary to complete the construction and any other extenuating circumstances that may pose a threat to water quality. The City reserves the right to adjust the priority of the projects both before and during construction. (Note: The construction priority does NOT change construction BMP requirements that apply to projects; all construction BMP requirements must be identified on a case-by-case basis. The construction priority does affect the frequency of inspections that will be conducted by City staff. See Section IV, 1 for more details on construction BMP requirements.)

☐ 1) High Priority

- a) Projects where the site is 50 acres or more and grading will occur during the wet season
- b) Projects 5 acres or more and tributary to an impaired water body for sediment (e.g., Peñasquitos watershed)
- c) Projects 5 acres or more within or directly adjacent to or discharging directly to a coastal lagoon or other receiving water within an environmentally sensitive area
- d) Projects, active or inactive, adjacent or tributary to sensitive water bodies

☒ 2) Medium Priority

- a) Capital Improvement Projects where grading occurs, however a Storm Water Pollution Prevention Plan (SWPPP) is not required under the State General Construction Permit (i.e., water and sewer replacement projects, intersection and street re-alignments, widening, comfort stations, etc.)
- b) Permit projects in the public right-of-way where grading occurs, however SWPPPs are not required, such as installation of sidewalk, substantial retaining walls, curb and gutter for an entire street frontage, etc.
- c) Permit projects on private property where grading permits are required (i.e., cuts over 5 feet, fills over 5 feet), however, Notice Of Intent (NOIs) and SWPPPs are not required.

☐ 3) Low Priority

- a) Capital Projects where minimal to no grading occurs, such as signal light and loop installations, street light installations, etc.
- b) Permit projects in the public right-of-way where minimal to no grading occurs, such as pedestrian ramps, driveway additions, small retaining walls, etc.
- c) Permit projects on private property where grading permits are not required, such as small retaining walls, single-family homes, small tenant improvements, etc.

Name of Owner or Agent (Please Print):

Federica Liberatore

Signature:

Title:

Owner

Date:

000905



ATTACHMENT 17

PRELIMINARY DRAINAGE REPORT

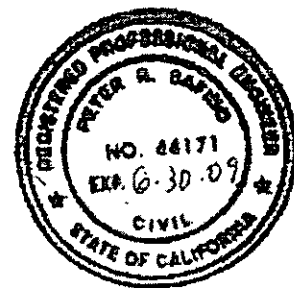
LIBERATORE RESIDENCE CITY OF SAN DIEGO

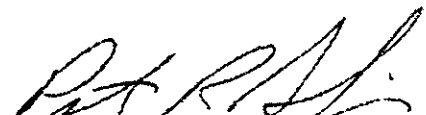
Prepared for:

FEDERICO LIBERATORE
3371 VALEMONT STREET
SAN DIEGO, CA 92106

Prepared by:

SB&O, INC.
3990 RUFFIN ROAD, SUITE 120
SAN DIEGO, CALIFORNIA 92123
858-560-1141
SB&O JOB NO. 64660.60




PETER R. SAFINO, PE 44171

JULY 24, 2007

000906



ATTACHMENT 17

PRELIMINARY DRAINAGE REPORT

LIBERATORE RESIDENCE CITY OF SAN DIEGO

Prepared for:

FEDERICO LIBERATORE
3371 VALEMONT STREET
SAN DIEGO, CA 92106

Prepared by:

SB&O, INC.
3990 RUFFIN ROAD, SUITE 120
SAN DIEGO, CALIFORNIA 92123
858-560-1141
SB&O JOB NO. 64660.60

PETER R. SAFINO, PE 44171

JULY 24, 2007

JUL 30 2007

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APPENDICES

- I. RUNOFF COEFFICIENTS
- II. INTENSITY-DURATION-DESIGN CHART
- III. ISOPLUVIAL MAPS

EXHIBITS

- A. HYDROLOGY CALCULATIONS
- B. DRAINAGE BASIN MAP Map Pocket
- SITE PLAN Map Pocket

INTRODUCTION

The purpose of this report is to demonstrate that the designed public and private storm drain system will adequately fulfill the drainage needs of the Liberatore Residence project. All design methods will be explained as well as calculations to support the appropriate sizing of the storm drain system.

PROJECT DESCRIPTION

The proposed project is located on Valemont Street, east of Bangor Street, in the City of San Diego. Current site conditions can be described as single-family residential. The site contains an existing home on the south half of the site. The north half of the site consists of vegetated slopes with pathways, stairs, and terraces. Current on-site drainage patterns consist of overland flow generally southwest to northeast. An offsite basin drains immediately to the northwest of the site. Offsite runoff is discharged from an existing 24" pipe into an existing natural canyon that flows east to west just north of the site. That canyon ends into an existing driveway in which the flow is directed into a concrete ditch at the driveway's southern edge. That concrete ditch ends at a headwall and flows into an existing 18" pipe and into the City of San Diego storm drain system (MS-4). The proposed drainage plan will extend the existing 24" pipe to bypass the proposed driveway. The runoff from the site and the extended pipe will be directed into a new concrete ditch that will connect to the existing concrete ditch. All runoff patterns will remain the same.

The project will consist of the construction of a two-story guesthouse with a private driveway at the north end of the site. Additional stairs, pathways, and retaining walls will be constructed to provide access to the guesthouse from the south.

An offsite and upstream drainage basin is located immediately to the northwest. The basin drains to the aforementioned 24" pipe and discharges into the existing canyon just north of the site. The existing offsite basin is depicted as Basin "A". Basins are shown on the "existing drainage basin map" located in the map pocket at the back of this report.

HYDROLOGY/ HYDRAULIC METHODOLOGY

In accordance with the City of San Diego Drainage design parameters, the rational method was used to calculate runoff quantities for a 100-year storm event. Soil characteristics were assumed to be Type "D". Land use coefficients ("C" factors) were based upon the San Diego County Hydrology Manual (see Appendix J).

Times of concentration were calculated using the San Diego City Hydrology Manual. Overland flow time, gutter flow time and pipe flow time was utilized in order to determine the appropriate time of concentration. A minimum of five minutes was used for the calculated time of concentration per the San Diego County Hydrology Manual. Rainfall intensities for 100-year frequency events were estimated from the San Diego City Hydrology Manual rainfall-intensity-

duration design chart (see Appendix II). Flows were then determined using the standard rational method equation of $Q=CIA$.

WATER QUALITY MITIGATION MEASURES

All exposed slopes being created by the project are to be hydroseeded to reduce erosion on slope faces. Sediment fences should be utilized at the toes of large slopes to help with any sediment problems. Gravel bags should be placed along the tops of large slopes as well as around all inlets to reduce any sediment that might enter the storm drain system. During construction, a stringent Water Pollution Control Plan (WPCP) will be implemented to control erosion.

Furthermore, implementation of an economical as well as efficient post-Best Management Practices network will ensure that all of the storm water leaving the site will be free off debris, sediment, and petroleum hydrocarbons. For more detailed information regarding storm water quality please see the Water Quality Technical Report completed by SB&O, Inc., dated August 29, 2006.

SUMMARY

In conclusion, the ultimate hydrology will adequately accommodate runoff by utilizing existing drainage facilities along with an additional pipe and concrete ditch. All of the drainage from the site will continue to enter the existing concrete ditch located just north of the site. The proposed site will not divert runoff from its current configuration.

000910



ATTACHMENT 17

EXHIBIT A

000911



ATTACHMENT 17

PROJECT LIBRATORE RESIDENCE ~ DRAINAGE
BASIN 'A' (EXISTING OFFSITE)

JOB # 64660.65DATE 4-23-07

OFFSITE BASIN
 PLUMETER READING: 17.36 in²

$$\text{AREA} = 17.36 \text{ in}^2 \times \frac{40,000 \text{ SF}}{1 \text{ in}^2} \times \frac{1 \text{ ACRE}}{43,560 \text{ SF}}$$

$$= 694,400 \text{ SF} \times \frac{1 \text{ ACRE}}{43,560 \text{ SF}} = 15.94 \text{ AC}$$

DRAINAGE CALCULATIONS

$C = 0.57$ (MEDIUM DENSITY RESIDENTIAL 7.3 DW/A OR LESS)
 COUNTY OF SD Hydrology Manual TABLE 3-1

$$A = 15.94 \text{ AC}$$

$$T_C = T_i + T_{\text{runner}} + T_{SD}$$

$$T_i = \frac{1.8 (1.1 - C) \sqrt{A}}{3 \sqrt{S}} \quad S = 1\%, D = 120' \Rightarrow T_i = 10.45 \text{ MIN}$$

$$T_{\text{runner}} = 3.28 \text{ MIN} \quad (\text{CHART 1-104.12}) \quad (S = 4.8\%)$$

$$T_{SD} = 5 \text{ SEC} \approx 0.4 \text{ MIN} \quad (D_{\text{PIPE}} = 24", S = 5.4\%)$$

$$T_C = 13.81 \text{ MIN}$$

$$I = 3.0 \text{ IN/HR} \quad (\text{APPENDIX T-B, COUNTY OF SD MANUAL})$$

$$Q = CIA \approx 0.57 \times 3.0 \times 15.94$$

$$Q = 27.26 \text{ CFS}$$

000912

ATTACHMENT 17

Circular Channel Analysis & Design
Solved with Manning's Equation

Open Channel - Uniform flow

Worksheet Name: Liberatore Residence

Comment: Offsite Basin SD

Solve For Full Flow Capacity

Given Input Data:

Diameter.....	2.00 ft
Slope.....	0.0560 ft/ft
Manning's n.....	0.013
Discharge.....	53.53 cfs

Computed Results:

Full Flow Capacity.....	53.53 cfs
Full Flow Depth.....	2.00 ft
Velocity.....	17.04 fps
Flow Area.....	3.14 sf
Critical Depth....	1.98 ft
Critical Slope....	0.0521 ft/ft
Percent Full.....	100.00 %
Full Capacity.....	53.53 cfs
QMAX @.94D.....	57.59 cfs
Froude Number.....	FULL

000913



ATTACHMENT 17

PROJECT LIBERATOR'S RESIDENCE - DRAINAGE
Basin "B"

JOB # 64660.65

DATE 4.23.07

$C = 0.57$ (MEDIUM DENSITY RESIDENTIAL)

$A = 0.47$ ACRE

$$T_c = T_c = \frac{1.49 A^{0.78} (1.48 - C) V^{0.78}}{S^{0.48}} \quad L = 280' \\ S = 34\%$$

$$T_c = 4.93 \approx 5 \text{ MIN}$$

$I = 4.5$ IN/HR (APPENDIX I-B CITY SD MANUAL)

$$Q = CIA \Rightarrow Q = 1.21 \text{ CFS}$$

000914

ATTACHMENT 17

Triangular Channel Analysis & Design
Open Channel - Uniform flow

Worksheet Name:

Comment: Liberatore Res. - ditch along driveway

Solve For Depth

Given Input Data:

Left Side Slope..	0.83:1 (H:V)
Right Side Slope.	0.83:1 (H:V)
Manning's n.....	0.015
Channel Slope....	0.2000 ft/ft
Discharge.....	54.70 cfs

Computed Results:

Depth.....	1.54 ft
Velocity.....	27.65 fps
Flow Area.....	1.98 sf
Flow Top Width...	2.56 ft
Wetted Perimeter.	4.01 ft
Critical Depth...	3.06 ft
Critical Slope...	0.0052 ft/ft
Froude Number....	5.55 (flow is Supercritical)

000915



ATTACHMENT 17

APPENDIX I

**Table 3-1
RUNOFF COEFFICIENTS FOR URBAN AREAS**

Land Use		Runoff Coefficient "C"				
NRCS Elements	County Elements	% IMPER.	Soil Type			
			A	B	C	D
Undisturbed Natural Terrain (Natural)	Permanent Open Space	0*	0.20	0.25	0.30	0.35
Low Density Residential (LDR)	Residential, 1.0 DU/A or less	10	0.27	0.32	0.36	0.41
Low Density Residential (LDR)	Residential, 2.0 DU/A or less	20	0.34	0.38	0.42	0.46
Low Density Residential (LDR)	Residential, 2.9 DU/A or less	25	0.38	0.41	0.45	0.49
Medium Density Residential (MDR)	Residential, 4.3 DU/A or less	30	0.41	0.45	0.48	0.52
Medium Density Residential (MDR)	Residential, 7.3 DU/A or less	40	0.48	0.51	0.54	0.57
Medium Density Residential (MDR)	Residential, 10.9 DU/A or less	45	0.52	0.54	0.57	0.60
Medium Density Residential (MDR)	Residential, 14.5 DU/A or less	50	0.55	0.58	0.60	0.63
High Density Residential (HDR)	Residential, 24.0 DU/A or less	65	0.66	0.67	0.69	0.71
High Density Residential (HDR)	Residential, 43.0 DU/A or less	80	0.76	0.77	0.78	0.79
Commercial/Industrial (N. Com)	Neighborhood Commercial	80	0.76	0.77	0.78	0.79
Commercial/Industrial (G. Com)	General Commercial	85	0.80	0.80	0.81	0.82
Commercial/Industrial (O.P. Com)	Office Professional/Commercial	90	0.83	0.84	0.84	0.85
Commercial/Industrial (Limited I.)	Limited Industrial	90	0.83	0.84	0.84	0.85
Commercial/Industrial (General I.)	General Industrial	95	0.87	0.87	0.87	0.87

*The values associated with 0% impervious may be used for direct calculation of the runoff coefficient as described in Section 3.1.2 (representing the pervious runoff coefficient, C_p , for the soil type), or for areas that will remain undisturbed in perpetuity. Justification must be given that the area will remain natural forever (e.g., the area is located in Cleveland National Forest).

DU/A = dwelling units per acre

NRCS = National Resources Conservation Service

000917



ATTACHMENT 17

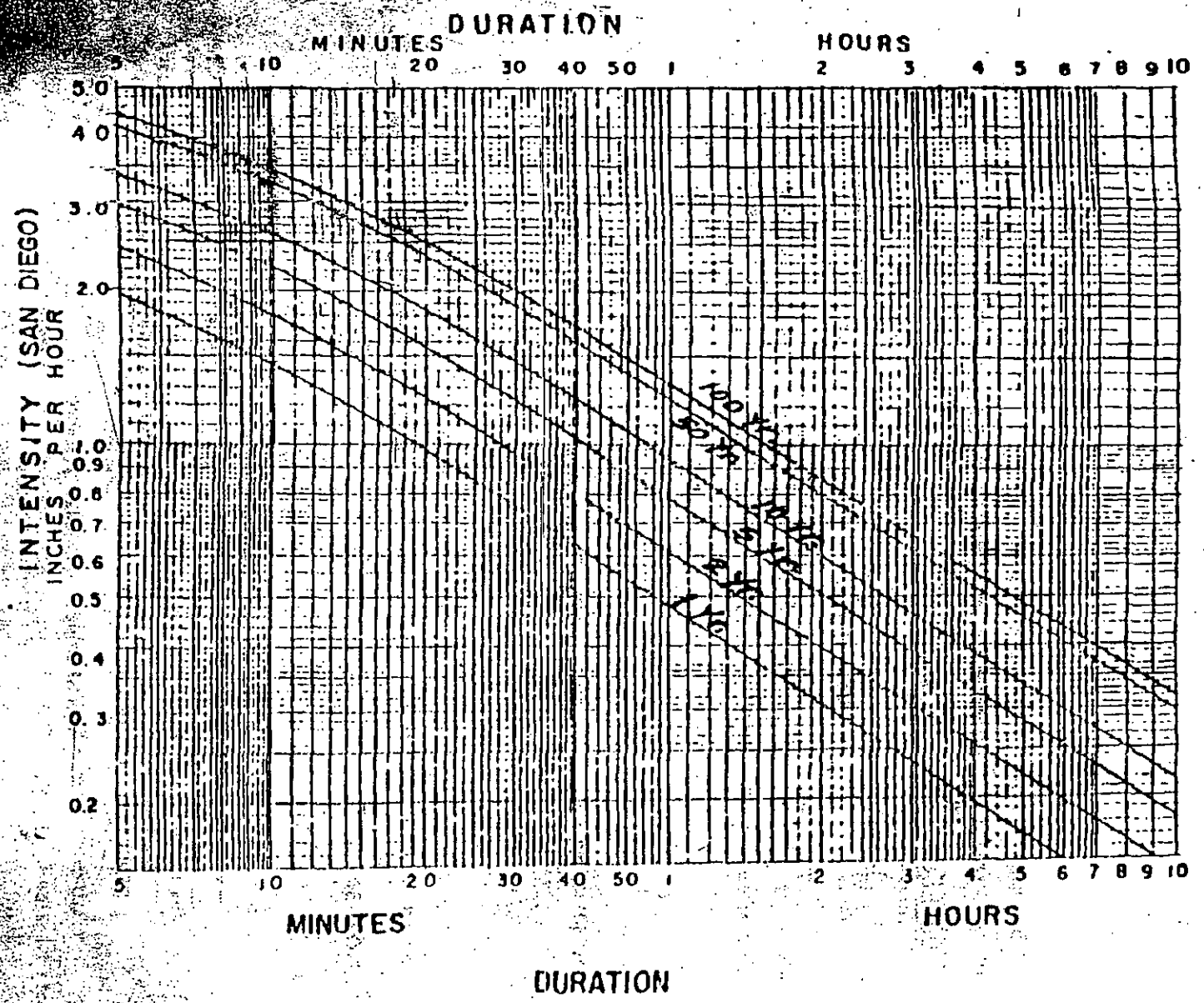
APPENDIX II

ELEVATION	FACTOR
0-1500	1.00
1500-3000	1.25
3000-4000	1.42
4000-5000	1.60
5000-6000	1.70
DESERT	1.25

To obtain correct intensity,
multiply intensity on chart
by factor for design
elevation.

RAINFALL
INTENSITY - DURATION - FREQUENCY
CURVES
for
COUNTY OF SAN DIEGO

APPENDIX



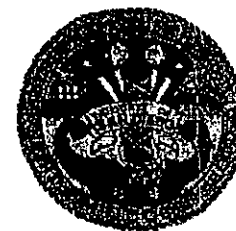
000919



ATTACHMENT 17

APPENDIX III

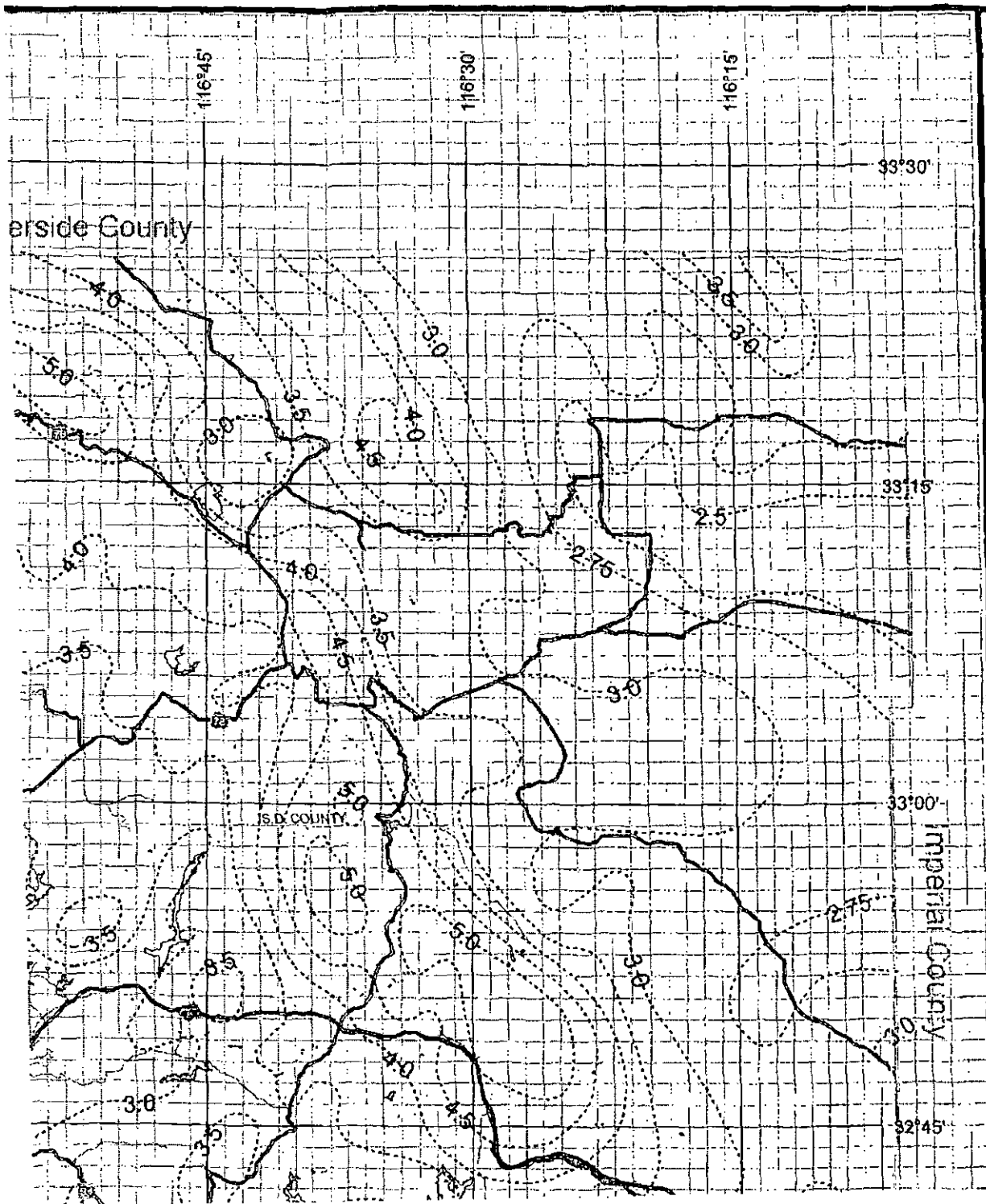
County of San Diego Hydrology Manual



Rainfall Isophuvials

100 Year Rainfall Event - 6 Hours

----- Isophuvial (inches)





City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval(s) requested: ☒ Neighborhood Use Permit ☐ Coastal Development Permit
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit
☐ Variance ☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment ☐ Other _____

Project Title

NEW DETACHED GUEST QUARTERS

Project No. For City Use Only

113555

Project Address:

3371 VALEMONT ST SAN DIEGO, CA

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached ☐ Yes ☒ No

Name of Individual (type or print):

FEDERICO LIBERATORE

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

3371 VALEMONT ST

Street Address:

SAN DIEGO CA 92104

City/State/Zip:

619 523-1296 619 544-2482

Phone No:

Fax No:

Signature:

Federico Liberatore

Date:

9-12-06

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

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Date: